

## **HEALTH COMMITTEE of the Suffolk County Legislature**

### **Minutes**

A regular meeting of the Health Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, Veterans Memorial Highway, Hauppauge, New York, on **November 29, 2000**, at 9:30 A.M.

#### **Members Present:**

Legislator Ginny Fields - Chairperson  
Legislator Brian Foley - Vice-Chair  
Legislator Michael Caracciolo  
Legislator Joseph Caracappa  
Legislator Andrew Crecca

#### **Also in Attendance:**

Paul Sabatino - Counsel to the Legislature  
Mary Skiber - Aide to Legislator Fields  
Kim Brandeau - Budget Analyst/Budget Review Office  
Marla Musgnug - Aide to Presiding Officer Tonna  
Bonnie Godsman - County Executive's Office/Intergovernmental Relations  
Dr. Clare Bradley - Commissioner/Department of Health Services  
Robert Maimoni - Director of Health Administrative Services/DHS  
Dr. Scott Campbell - Entomologist/Department of Health Services  
Dominick Ninivaggi - Superintendant of Vector Control/DPW  
Eric DuMont - Citizens Campaign for the Environment  
Karen Graulich - New York State DEC  
Holly Rhodes-Teague - Director/SC Office for the Aging  
Maureen Porta - Suffolk County Office for the Aging  
Janet Goltz - Suffolk County Taxpayer  
Bernie Kirschbaum - Mental Health Association  
Reva Goldberg - Mental Health Association  
Blance Mulholland - The Gray Panthers  
Emi Endo - Newsday

#### **Minutes Taken By:**

Alison Mahoney - Court Stenographer

(\*The meeting was called to order at 10:05 A.M.\*)

CHAIRPERSON FIELDS:

Please stand for the pledge of allegiance led by Legislator Foley.

Salutation

Good morning. I would like I guess to bring Dr. Bradley up just to ask a couple of questions, then I would invite Dominick Ninivaggi to come up to the microphones.

COMMISSIONER BRADLEY:

Excuse me. Are you going to be asking me questions about West Nile, Vector Control?

CHAIRPERSON FIELDS:

No. I think we'll leave that up to --

COMMISSIONER BRADLEY:

Because Dr. Campbell is here also, so I just wondered.

CHAIRPERSON FIELDS:

Okay, we'll have him accompany -- hi, I didn't see you.

Okay, I just wanted to ask you a quick question. I read in the paper the other day about the flu vaccine, wanted to know for Suffolk County what status we have with the flue vaccine and why we're so far behind in receiving it.

COMMISSIONER BRADLEY:

Okay. It's a national problem. There has been a significant change in the virus. The virus changes from year-to-year and they always have to make a new batch, you can't use vaccine that was created last year, so that has caused problems. There are also less manufacturers and that's an FDA issue, there aren't as many manufacturers. So those two factors have put everyone behind.

We have received probably about 10 to 15% of our original supply and our first priority was our Skilled Nursing Facility to make sure that our residents there were vaccinated. We have received some extra

doses, and again, those went to the health centers because many people depend on their care in our health centers. We are now starting to do some clinics. Actually, Mather Hospital gave us over a thousand doses that they weren't going to use, so we're doing two clinics actually, one today, one tomorrow. Today's is in Smithtown which is our largest site for seniors, we're doing tomorrow in Hauppauge to try to pick up -- we're not going to be able to do all the individual clinics we used to do because of the time frame and the amount of vaccine we're getting. Next week we're hoping to do two more, we got some more vaccine; we're getting it in piece meal, all of a sudden they'll send us. We're going to be doing Patchogue and another site next week, we haven't decided yet, and we'll be sending those notices out.

CHAIRPERSON FIELDS:

How did Nassau get it before we did?

COMMISSIONER BRADLEY:

They bought it from England and we have -- we're on the waiting list to get it from there in case we can get it quicker from there than our usual distributors.

CHAIRPERSON FIELDS:

But how did they get is it faster than we did; why did we not, why were we unable to get it?

COMMISSIONER BRADLEY:

Well, we didn't realize we were going to have such a difficult time getting it, and our usual processes don't allow us to do that but we got permission to also go the same route, but they put that order in quicker than we did.

CHAIRPERSON FIELDS:

Okay, thank you.

COMMISSIONER BRADLEY:

Sure.

CHAIRPERSON FIELDS:

Okay, I would invite Dominick Ninivaggi, Dr. Campbell and we have a card, Karen Graulich from New York State DEC, maybe we could have you also come up to the front.

You all have a copy of the Vector Control Plan? Good, thank you. Last time we went through the Vector Control Plan several months ago, I had a couple of questions and problems with it because I had spoken to DEC, but when all was said and done it was stated that we were not the experts and that Dominick was so it passed. Now I guess we have some expert testimony and we have some comments from the New York State DEC. I will read some depending upon the portion of the Vector Control Plan and hopefully we can revise it. The whole problem that I have heard from DEC and from numerous other people and agencies is that the plan is over simplified, and I think it's such an important plan that it's not something that we need to simplify but have accurate responses to.

I have had Chuck Hamilton who is the Regional Supervisor from Natural Resources, Vinny Palmer who is the Supervisor of Pest Management and Compliance and Karen Graulich who is the Regional Manager of Marine Habitat Protection comment on the plan and I just want to see if we could maybe take it page by page and go through some of the comments that they have and maybe we can have Dominick work more closely with them so that it can be approved by the end of the year. So if we could turn to page two and go to the third paragraph, middle sentence, "In addition, compliance with the various federal and State environmental laws has a major effect on operations often limiting their effectiveness." Karen, maybe you could comment on why -- what comments you have on that?

MS. GRAULICH:

I guess our question is what that is even supposed to mean. The State and Federal regulations that apply --

MS. MAHONEY:

Excuse me. You need to speak very closely into the mike.

MS. GRAULICH:

The State and Federal Laws and Regulations that apply are designed to minimize environmental damage and reduce public health risk, and if the division is operating according to the goal of doing those things, there shouldn't be any major impact on the operation. So the question is how do they perceive that.

MR. NINIVAGGI:

Well, these are new comments to me. I have not obviously had a chance to prepare responses here. What I will say is that by definition the various environmental laws and regulations are neutral or don't generally look at effectiveness of the operation. Their goal is environmental protection which is a worthy goal, you know, that we all subscribe to. I can give you examples in terms, for instance, on the Federal level we're not allowed to do mosquito prevention on the Federal lands on Fire Island; this has a profound impact in some parts of Suffolk County, not only on Fire Island itself but also on the main land. Now, these are -- again, nobody is questioning the validity or the value of these regulations but they do impact our ability to function.

We are, for instance, about 14 years ago we were -- the State decided that we're not allowed to use {abate} which is a larvacide which is used in most of the rest of the country. Again, I could understand why they made that decision, but it did effect -- that is a very effective and inexperience material and it did effect the effectiveness of the operation. I'm not sure that I want to go into more detail on that, but I think it's something to recognize. It's also -- in the various environmental compliance activities that we undertake which, again, are worthwhile and important things to do, but they do require time and effort and they can impact, you know, how quickly we can respond and sometimes how effectively we can. And again, nobody is questioning the validity and the value of these things, but we do have to keep in mind that they do impact how well you can kill the mosquitoes.

CHAIRPERSON FIELDS:

Okay. On the second page, the first paragraph, "because the materials available to control adult mosquitoes are relatively broad spectrum in nature, their use should be limited to relatively severe infestations that are adversely affecting a community; Karen had a question about that.

MS. GRAULICH:

Yes, we'd like to know what criteria are used to define severe infestations.

MR. NINIVAGGI:

Yeah, the primary criteria are light traps, we have a network of 24

New Jersey light traps as well as the CDC traps, special traps, they're being used. Complaints are also an important barometer that we use for when mosquitoes are adversely affecting a community. And when you think about it, it's kind of like the way beauty is in the eye of

the beholder, mosquito nuisance is, in some respects, in the perception of the people in the community. And in some cases it's pretty cut and dry. When we have a severe salt marsh outbreak in an area like Mastic Beach, you know, we'll get 200 phone calls to our office in a morning with people complaining that they literally can't go out of their homes, and they're not exaggerating because you could step out your door and have 20 or 30 salt marsh mosquitoes land on you and start to bite you.

It becomes a little bit more difficult to decide at what level you need to respond when it's not quite that severe. But we will, for instance, also get calls from elected officials such as Mayors of Villages that they're constituents are complaining to them, we try to verify that. And one of the things that we've done in the last season is that we have tried to look more carefully at when we need to respond to nuisance complaints and what we've generally done is not responded to small, individual complaints, we'll generally look and see if we're getting complaints piling up in an area, if we can verify there really are mosquitoes there then we'll treat the entire area with adulticide. So that's the main -- those are the main criteria. It's difficult to come up with numerical criteria because in some sense you're looking at human perception.

MS. GRAULICH:

That was one of the things we're interested in, if there is a certain number of complaints that sets it off and if those complaints are confirmed first with population numbers before a response.

MR. NINIVAGGI:

Well, most of our areas that have a history of complaints have traps in there, and generally in a New Jersey light trap 10 to 20 female mosquitoes per night is generally a criteria that's used in a lot of districts. It varies also with the species, because for instance, you know, there are some mosquitoes that are more aggressive than others

and salt marsh mosquitoes being very aggressive, a smaller number is a problem than some of the other species.

CHAIRPERSON FIELDS:

Second paragraph, I guess the third sentence, "This is the most virulent" -- they're talking about EEE, Eastern Equine Encephalitis, "This is the most" --

MR. NINIVAGGI:

Excuse me, which page?

COMMISSIONER BRADLEY:

Page three.

CHAIRPERSON FIELDS:

Page two, second paragraph.

MS. GRAULICH:

Three.

MR. NINIVAGGI:

Uh-huh, I got it.

CHAIRPERSON FIELDS:

Talking about EEE, "This is the most virulent of the mosquito-borne Encephalitis Viruses with a case mortality rate of five to 50%. Karen?

MS. GRAULICH:

Okay. The question was were there any cases in Suffolk County of that? And in this whole paragraph essentially it says that the mosquitoes that were infected with it were found in '94, '96, '97 and that none were found in 2000; what about '98 and '99, were none found then?

MR. NINIVAGGI:

Okay. Under State Public Health Law, if it's -- if Eastern Encephalitis Virus is found in mosquitoes in the County, I believe, Scott, what is it --

DR. CAMPBELL:

One in three years or two in ten.

MR. NINIVAGGI:

Two in ten years. Legally the County is under what's called a public health threat for that particular virus. Because of the -- and I see that I actually left out -- we did actually also get virus in triple EEE in mosquitoes in 1993. So we meet the criteria for ten years as a State -- under State Public Health Law for a public health threat from Eastern Encephalitis. We have not had human cases in Suffolk County and we're very glad of. That and while we might deserve all of the credit for that, I think the fact that we have a strong mosquito control program certainly has an influence in that. But Eastern Encephalitis is certainly a disease that's taken very seriously because of the high mortality rate.

CHAIRPERSON FIELDS:

I think that probably the next --

MS. GRAULICH:

Can I just --

CHAIRPERSON FIELDS:

Go ahead, Karen.

MS. GRAULICH:

Okay. I just wanted to confirm then that in '98 and '99 there were no cases so we don't meet the one in three years. And also, can you provide the case mortality rate of West Nile Virus?

MR. NINIVAGGI:

Well, first of all, we remained under the State declared public health threat for ten years I believe from 1997, so we remain under the State health criteria for Eastern Virus public health threat. My understanding of the case mortality rate in West Nile Virus, and I guess Dr. Bradley is better qualified than me, is what, ten to 12%?

COMMISSIONER BRADLEY:

I don't -- I can figure it out knowing what the numbers are, I don't have the case mortality rate.



CHAIRPERSON FIELDS:

Okay. Page four, the first paragraph, "In 2000 West Nile Virus was found in at least eight species of mosquito including the abundant and aggressive flood water species Aedes Vexans and the salt marsh species Aedes Cantator"; Karen, I think you had a comment on that one.

MS. GRAULICH:

Yeah, one of our questions was with the Aedes Cantator, the larvae are not very very tolerant of salinity in the water; in fact, they do breed in fresh water areas so we were wondering how the larviciding in the salt marshes apply to controlling that species?

MR. NINIVAGGI:

Aedes Cantator is a salt marsh species, it tends to be our early season salt marsh mosquito and it tends to be found in the upper less saline portions of the salt marsh. This is one of our target species for our aerial larval control as well as our ground larval control. Exactly where you find Aedes Cantator in the marsh varies with season and to some extent with rainfall. Studies have been done where you'll find our late season, very abundant salt marsh mosquito Aedes Sollicitans further. If it's a dry year and the marsh tends to be more saline, most of the marsh will have sollicitans, relatively less will have Cantator. If it's a very wet year you'll have the fresh water species Vexans in the upper part grading to Cantator, grading to Sollicitans, so it varies a lot with rainfall and with season. So when you're doing, for instance, winter water management, you're basically targeting all the salt marsh species, the Sollicitans and the Cantator and, to some extent, Vexans which is a fresh water species that can breed in the upper part of the marsh. Does that answer --

MS. GRAULICH:

Well, are you counting larviciding like the area adjacent to the marsh as part of your salt marsh?

MR. NINIVAGGI:

Well, again, these things grade into one another, you can't draw a bright line and say here's where the salt marsh larviciding stops and the fresh water part begins. Certainly, Cantator is one of the species that we target when we're doing our general salt marsh both by air and by ground. And sometimes we'll do ground application in some of our small salt marshes which tend to be more brackish.

COMMISSIONER BRADLEY:

The case mortality for the last two years has been between five and 10% for those people that develop West Nile infection.

CHAIRPERSON FIELDS:

Page five, top paragraph, "The greatest preventive efforts will still be directed at high priority areas"; Karen?

MS. GRAULICH:

This was a similar question, how those high priority areas are determined, I guess similar to the severe infestation?

MR. NINIVAGGI:

Well, because Suffolk Vector Control has been in business, I guess we're now at 66 years, we have a long, historical basis of where our problem areas are likely to be. And to nobody's surprise, they tend to be particularly where major salt marshes are near areas that are densely populated with people. So the south shore communities, particularly east of the Robert Moses Causeway, are historically and chronically our biggest mosquito areas and that's where we tend to have the most problems, especially from a nuisance point of view. We also have to look at our maple swamps because those tend to be focus areas for Eastern Encephalitis.

CHAIRPERSON FIELDS:

Next paragraph, "While mosquito" -- around the middle of the paragraph, "While mosquito control is simply not an option in the Fire Island wilderness areas, the division completed an Open Marsh Water Management Project in the William Floyd Estate"; according to Chuck, he says that there were a thousand feet of ditches that were dug without permits. And then, I guess the last paragraph, "The finding of West Nile Virus in mosquitoes captured in Saltaire on Fire Island and the discovery of West Nile Virus in the salt marsh species *Aedes Cantator*", you're pronouncing it, "lends further urgency to the issue of mosquito prevention on Fire Island." Chuck's comment was where you write, "The finding of west nile virus in mosquitoes captured in Saltaire on Fire Island," he writes, "One mosquito?" But I guess -- could you comment about the 1,000 feet of ditches that were dug without permits at William Floyd Estate?

MR. NINIVAGGI:

Well, we were working on a very large, 200 acre project there with our -- in a cooperative manner with the Fish and Wildlife Service using our equipment as well as Federal equipment, and frankly one of our crews made an error. They -- there were some ditches on the -- that marsh's ditched, there were ditches there that were not in the plan and they made an error and cleaned out ditches that they shouldn't have cleaned out. This was a very unfortunate occurrence, I think everybody agrees with that. At this point, we've met with the DEC to decide what sort of enforcement action they would like to take with this, and at this point I guess we have to decide whether this is something that needs to be restored or whether it's better to look at marsh we grow naturally.

As far as the finding of West Nile Virus in mosquitoes in Saltaire, Scott, how many pools of mosquitoes were found, was it just that one incident?

DR. CAMPBELL:

I only recall the one positive pool from Saltaire.

MR. NINIVAGGI:

Okay.

DR. CAMPBELL:

But, you know, in a way it doesn't matter if you find -- if you find one pool it's very similar to finding ten pools, the fact is there either are mosquitoes in that location, you know. I mean, if you look

at infection rate, that's when you actually look at a number of pools, but I don't have the number of pools off the top of my head, but there was at least one pool obviously.

MR. NINIVAGGI:

And I will point out, that trap was actually hung from somebody's back porch. So there were, in fact, West Nile infect mosquitoes in the residential community in Saltaire, and given that Fire Island in general has large numbers of mosquitoes, you know, this is of concern to us.

As far as the finding of virus in the salt marsh species *Aedes Cantator*, again *Cantator* can be very abundant at times and is one of our more aggressive species, so if this species turns out to be transmitting virus, it raises our level of concern. Because for instance, most of the virus findings have been in the species of *Culex* Mosquito and that's very important, but that tends to be a less aggressive species than some of the salt marsh would. So there is an awful lot that remains to be learned about exactly which species are the most important for us to control, but when we see a salt marsh species that we know can get very abundant and it does bite people quite a bit, you know, that raises our level of concern.

CHAIRPERSON FIELDS:

Karen, do you have on anything on that one, or should I go on?

MS. GRAULICH:

I would just like to confirm what type of mosquito in Saltaire had the west Nile virus, was that *Culex*?

MR. NINIVAGGI:

Yeah, but that was a *Culex* (inaudible).

CHAIRPERSON FIELDS:

When you do arrive at the discovery of West Nile, do you notify DEC when that happens?

DR. CAMPBELL:

Well, for example like in the Saltaire pool --

CHAIRPERSON FIELDS:

Anywhere, any time you -- let's use that as an example then.

DR. CAMPBELL:

Well, I don't -- what happens is generally we make a decision whether to spray or not to spray, and Dominick is --

COMMISSIONER BRADLEY:

Once that decision is made, Dominick is the one that would make the contact with DEC if indicated; now, I think he'd be better able to answer how often he does that.

MR. NINIVAGGI:

We don't transmit it to the local DEC for every finding of virus, although the DEC is involved, for instance, on the Statewide conference calls that were happening every week. So every week there

is a weekly update of where we are with West Nile Virus and DEC is certainly privy to that information. It's not necessary --

CHAIRPERSON FIELDS:

But that's the Albany Branch, not the Region I Branch.

MR. NINIVAGGI:

I know Region I is -- I don't know if they're on -- they're not necessarily on all of the conference calls, I know Vinny Palmer in pesticides was in on many of them. Again, the finding of a virus in a pool of mosquitoes, you know, may or may not trigger any kind of action on our part. So we generally don't bother DEC with every pool of mosquitoes that comes in, that certainly can be done if they're interested.

COMMISSIONER BRADLEY:

Now, there are two ways that that can occur. Currently, in this year, when there were identifications they were put on the HIN which is the Health Information Network, it's a State information system, it's like a website; and DEC I believe has access to the HIN?

MS. GRAULICH:

Yeah, we usually get the information off --

COMMISSIONER BRADLEY:

Can you talk into the microphone? Maybe if you take the microphone and hold it and hand it to each other, it's a lot, I think, more efficient.

COMMISSIONER BRADLEY:

So usually within a few hours of a local municipality being notified of a positive virus, whether it's a bird, a horse, a human, whatever, it goes on to the HIN, now, that's one way they can get the other information. The other is that we could add it to the list of people that we routinely notify when we put out our press releases which might be good to have both ways.

CHAIRPERSON FIELDS:

I think so; Karen, that's your determination.

MS. GRAULICH:

Yeah, that certainly can't hurt.

CHAIRPERSON FIELDS:

Did you have another comment, or should I go on ?

MS. GRAULICH:

That was it for that section.

CHAIRPERSON FIELDS:

All right. Same page, next to last paragraph, middle, "The Tiger Mosquito breeds in tree holes and artificial containers, especially tires, which means it could colonize areas well outside the division's normal control program which emphasizes wetlands"; Karen has a comment.

MS. GRAULICH:

I believe the question was further down it says, "The division has a surveillance program designed to detect it and will attempt to eradicate it". That is confusing, if it's not within the normal control program, how do they detect it and how will they attempt to eradicate it and are these techniques applicable to Culex?

MR. NINIVAGGI:

Okay. Well, Aedes Albopictus, the Tiger Mosquito, very often shows up in an area first in a tire pile or a situation like that because they tend to be -- that's the way they tend to be transported around the country. For the last few years, since we've had -- we've known about Aedes Albopictus in this country, the division has had a program where we've put out tires, we've looked for larvae of that mosquito, we've looked at containers trying to see if that species is in our area. It will sometimes -- so that's an additional surveillance that we do on top of our normal surveillance. Last year, I guess when we first found the Asian Bush Mosquito, Aedes Japonicus, Dr. Campbell stepped up his surveillance for these sorts of container breeding species and he was able to find quite a few larvae in quite a few locations for Aedes Japonicus, but none for Albopictus. If we were to find Aedes Albopictus which is a very serious problem in an area where we felt it

was relatively contained, we would try to eradicate it from that area by removing the breeding sources, larviciding if necessary and adulticiding. In some jurisdictions, they've been successful in heading off the species coming, in others not. This species is a serious enough problem that if the situation presented itself I think we would try, but we have a variety of techniques.

The other thing that can trigger off that we're dealing with the Tiger Mosquito is if you are seeing complaints from people about mosquitoes biting in the daytime in an area where you don't normally have a mosquito problem, you know, that would tip you off that maybe you're dealing with the Asian Tiger species because that's the picture you see, it tends to be an aggressive species, it bites in the daytime and it's, you know, near a tire dump or a junk yard instead of near a swamp. So we have a variety of ways of looking at this.

CHAIRPERSON FIELDS:

Same paragraph, down about four or five lines, "Because of the special threat posed by the mosquito, the division has a surveillance program that is designed to detect Aedes Albopictus and will attempt eradication if any are found"; Karen?

MS. GRAULICH:

That's what -- he just answered that.

CHAIRPERSON FIELDS:

Okay. Page six, number two, about three-quarters of the way down, we're talking about -- "In addition, by having a detailed, timely knowledge of the geographic extent of viral activity, control activities, including pesticide applications, can be undertaken only where they are truly needed. This can reduce the use of pesticides with all the resulting benefits of reduced risks for people and non targets"; Karen?

MS. GRAULICH:

We were requesting some documentation and examples of when that's been done.

MR. NINIVAGGI:

Okay. Over the -- unfortunately for us, we have had a lot of experience with mosquito-borne virus in the last few years. I can give you an example, for instance in 1997 we detected Eastern Encephalitis at Connetquot River State Park. Because we had a sampling program going there, we found that while virus -- that virus was present, mosquito numbers were low, it was late in the season, so the indications were that the risk was not particularly high. And while we did some localized adulticiding in the park in the immediately adjacent areas, we did not declare a public health threat the way we did in 1994 and 1996, nor did we do aerial adulticiding.

In our response to West Nile Virus this year, we did not -- in many cases jurisdictions would use adulticiding in a two mile radius of wherever a bird was found with the West Nile Virus. We made a decision that because we have a better knowledge of our mosquito problems, that that's not the -- we would not automatically respond in that manner. And one reason why we decided that is we realize that if birds started to drop all over the County, we would quickly have a checkerboard of adulticiding that would eventually cover the entire County and we felt that that wasn't appropriate. So we modified our response initially to a one mile radius on the first couple of findings with birds with virus, and as we reattached up our surveillance, we would not adulticide simply in response to a bird with a virus, we would also -- we would confirm other significant numbers of mosquitoes there and are we finding mosquitoes with the virus in that area. So by looking for a little bit more information, looking to really see where we had a problem, you know, we avoided spraying a lot of areas that we felt it wasn't justified. And I think that that's in keeping with what we'd all like to see, you know, we want to respond, we want to do a good job of protecting the public, but we don't want to treat areas unnecessarily.

MS. GRAULICH:

I guess part of the question is in the last finding of the West Nile Virus on Fire Island there was a request to spray virtually the whole shore line in response to that, so we didn't see any reduction based on the geography of what you were finding.

MR. NINIVAGGI:

Well, Fire Island is a very long, narrow area. And by the time we found -- we got the evidence back from the lab that we had mosquitoes there with the virus, that information is two weeks old, it takes some time between when you capture the mosquito and when you get the results back.

My judgment was that there was plenty of time for virus to have spread throughout most of the populated areas of Fire Island.



CHAIRPERSON FIELDS:

And how would you have treated it at that point, aerial spraying?

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MR. NINIVAGGI:

Our plan was to do aerial spray if possible. And Fire Island is, no argument, a difficult area to do aerial spray because it is so narrow and the proximity of water. But one of the things I did is I not only consulted here in the County and at the State, I also talked with Dr. Howard Ginsburg at the USGS who is Fire Island's and the Federal Government's mosquito entomologist, and he concurred that aerial application in this sort of situation is the most appropriate because ground application is not going to reach all the areas, and we talked back and forth about what would be the appropriate spray area.

I think when we finally decided that we didn't necessarily need to treat the entire non-wilderness area, I think we decided to go as far as I believe The Pines, I'd have to look that up again. But deciding which area needs to be treated very much depends upon the geography of the area and the mosquito populations, it is a judgment call. As it happened, that was so late in the season, we had cooler weather coming on, we decided that it wasn't necessary to spray on Fire Island.

CHAIRPERSON FIELDS:

I think -- I was going to wait to read Vinny Palmer's comments, but it's applicable to this and another comment that we went past before. But when I spoke to him, he said that -- his comment was that the plan had been over simplified and he said that, "Methoprene is heavily used, which is Altosid, there are published reports that it breaks down retinoid compounds recognized as invertebrate potential to cause mutations" -- and you don't have to do this, I'll give this to you at the end so that it's -- I'm reading it kind of quickly -- "recognized as invertebrate potential to cause mutations in invertebrates. Also is an insect growth regulator. New York City has to finish their EIS, Environmental Impact Statement, and there will be a lot of information and guidance."

Vinny sent me a letter, a copy of a letter that was sent to him

requesting on the label of Altosid, they asked to remove the label restriction "Do not apply to known fish habitats". And the DEC denied that change which I have a copy of that letter also and I can give that -- produce that for the record. And the Hazardous Materials Division denied allowing them to register the labels, you know, in that change. Vinny said that they're looking -- DEC is looking for a balance between human health and environmental quality.

He commented that Dominick says that the materials break down in the environment, but Methoprene breaks down to what, his question was Methoprene breaks down to what? And then he talked about 4,600 gallons of concentrate was applied in New York City, and he actually is part of a group of people that are questioning whether or not that might have contributed to the lobster die off because it was done right before Tropical Storm Floyd hit, and then we had the lobster die off, and Vinny was commenting that he doesn't have an assurance that it is safe. He says that in the Vector Control Plan, Dominick -- or in his conversations you comment that it's a low dose, he feels that that's over simplified and when the EIS comes out from New York City that will be more comprehensive. And he thinks that there are serious issues regarding the toxicity of products, he said when they do sampling there are a lot of things to take into consideration,

humidity, whether or not it's been churned, flushed, etcetera. And his example to me was at Bellmont Lake they placed lasagna pans in areas of water and they were active areas of water, and his question by doing that was is the material settling out? And when they went in they found pesticides in every single sample, and he said that the levels weren't harmful to fresh water species but he said in marine environment it would have killed a significant amount of marine life. And he at that point pointed out that you wanted to do -- Dominick wanted to do the 16 mile stretch of Fire Island, wanted to treat from the light house to Ocean Beach, and his comment to me was that a helicopter sprays at 50 feet and it's 50 microns or smaller, it then takes 66 minutes to drop 10 feet. With a slight off shore breeze which might be three miles an hour, it can travel laterally three miles in that 66 minutes, it would have missed the target site and ended up in the bay or main land. And he said when you apply material it can't control -- you can't control the movement, which his comments

were that we need an aggressive monitoring and surveillance of larvicide and we need proper water management, and you have applied a substantial amount of adulticide which really does need long range surveillance and monitoring.

And he also told me that he personally visited Fire Island and he found septic tanks that don't work properly and breed mosquitoes because people dug holes and the cesspool was seeping, and I actually have copies of some of those pictures which I'm sure you do too. He said that he took the photos and he told Dominic to take care of it, he wanted to know what happened. And I guess those are mainly the comments. So just -- I guess I just wanted to read kind of what happens with aerial spraying to those who don't know. And the second question is what has happened in Fire Island with those open leeching cesspools?

MR. NINIVAGGI:

Well, you've listed an awful lot of things for me to respond to here.

CHAIRPERSON FIELDS:

Right

MR. NINIVAGGI:

And I took some notes; again, it would have been helpful to me if I had had a chance to see some of this before I came to the meeting. Let me comment on a couple of things. First of all --

CHAIRPERSON FIELDS:

We still have some time to respond to this .

MR. NINIVAGGI:

Well, first of all, as far as Altosid goes, Altosid products, several Altosid products are, in fact, labeled by the New York State DEC for use in fish habitat, including the liquids that we use and the XRG sand granules. The US EPA has labeled and approved all the Altosid products for fish habitats based on EPA's very extensive review of the data. We strongly disagree with the assessment that these products pose any kind of serious risk to vertebrates, particularly -- even their breakdown products. These products have been used extensively for more than 20 years, there's no relationship whatsoever between

areas where these products are used in any kind of vertebrate deformities or any other adverse impacts on vertebrates. So I think that while it's good to be cautious with these materials and it is true that -- and I am glad to see that DEC does recognize that these are a better alternative to adulticides, I think that we should not over estimate their hazards to non targets.

As far as the issue of lobsters goes, I am -- this is an issue that has been gone over, for instance, by the lobster experts with the National Fishery Service, DEC, Connecticut, they've set up a research program to look at the cause of the lobster die offs. One of the things that they chose not to spend money on because they didn't think it was worth while is mosquito control pesticides as a source of the lobster die off. There is no evidence whatsoever --

CHAIRPERSON FIELDS:

Do we know -- may I interrupt? Do we know that the absolute reason that they chose not to do it is because it was a waste of money?

MR. NINIVAGGI:

Yes.

CHAIRPERSON FIELDS:

Is that a fact?

MR. NINIVAGGI:

Yes. And the point is that, again, you have to look at things like dilution, you have to look at the rapid breakdown of this material and you have to look at the history of these products in many place where crustaceans are important resources. I don't -- I think that -- I think that the Altosid products have been well established, it's very appropriate and this is the reason why they're registered by the EPA and by the DEC. New York State remains the only state that doesn't register the long release products, the 150 day briquettes, 30 day briquettes and pellets, for use in fish habitats, you know, that is something of a restriction for us, although in most cases where fish live you don't see mosquitoes so it's not necessarily a major problem for us. But I think that the history of this product and the overwhelming weight of the literature is that these products do not have significant impacts, certainly not directly on fish amphibians or any of the other invertebrates.

As far as the lasagna pan experiment, there were two types of sampling that were done in the Belmont Lake after aerial applications of Anvil. One was sampling of natural waters, and they were not able to detect any of the pesticides. They put out these --

CHAIRPERSON FIELDS:

But that's also depending upon what I set up in the beginning, that the humidity and everything else, these tests --

MR. NINIVAGGI:

Well, yes. One of the things -- but the bottom line is they looked for the material in the water and they couldn't find it, which is not surprising from what we know about the behavior of aerial applications. In the lasagna pans I estimate that less than 20% of

what was applied ended up in these shallow pans and again, you're looking at pure water immediately after a spray, there's no time for the product to break down or anything and in extremely low levels. And again, this fits in with our experience with these products that at the very low levels we use them and their rapid breakdown and rapid dilution in natural systems, you do not see any kind of significant adverse impacts, particularly in the water on the non target species. I agree, again, that Fire Island is a very difficult environment to conduct an aerial application, but I think you also have to keep in mind that while minute amounts of the material can drift off site, the question is is there enough material to have any kind of serious adverse impact, and I think the bulk of the literature is no.

CHAIRPERSON FIELDS:

But if you're missing the target completely, then what's the purpose of dropping --

MR. NINIVAGGI:

I don't think that we're missing the target completely. For instance, when we've -- very often in the past we have done aerial applications in the Mastic/Shirley area and we will stage at Smith Point Park in the parking lot there, and usually when we do this, the mosquitoes are horrendous in the loading area. And we'll have the helicopter make a pass up along the dune line, upwind, and that spray cloud will come down and it will knock out the mosquitoes. So this is the operational experience that many mosquito districts have. It is possible to get the material into the area that you'd like to get it to. Obviously, very, very weather dependent, it's not an easy operation, but if you

have a situation where there's human health involved, it's something you have to seriously look into. For instance, in an area like Fire Island, if you have a lot of areas that are not accessible to vehicles, you might not be able to do a ground application, an aerial operation might be your only option. We were fortunate that we didn't get to that point on Fire Island this year, but I think it's something we need to consider.

MR. NINIVAGGI:

I thoroughly agree with the idea that we should emphasize water management wherever we possibly can and certainly the County has a first rate surveillance program.

As far as the issue of the ceptic system goes, yeah, we have the same information, some of the same pictures that you have of the very poorly operated ceptic systems in Saltaire. And we would have treated them if we had found this problem earlier in the season, by the time the issue really came to the fore it was late in the season for West Nile Virus. I think that this is something that needs to be looked at over the winter and how can these folks get better ceptic systems. Saltaire is a particular problem because many of these houses are actually located within fresh water wetlands with a very high water table and ceptic systems don't tend to work very well in those situations.

CHAIRPERSON FIELDS:

Let me ask a question. Who do we have in the Department of Health that would go and inspect those areas?

COMMISSIONER BRADLEY:

If they were malfunctioning it would be environmental people, but I --

CHAIRPERSON FIELDS:

Not if they were malfunction. What if they -- I mean, is there an inspection team that just goes out, you know, such as someone who -- an engineer who checks electrical for carbon --

COMMISSIONER BRADLEY:

With routine?

CHAIRPERSON FIELDS:

Right.

COMMISSIONER BRADLEY:

No. New construction or malfunctioning, that's where we get involved.

CHAIRPERSON FIELDS:

Should we -- I'll give you -- you know, these are not great pictures; Dominick, you have better pictures ?

MR. NINIVAGGI:

Yeah, I've got the color version, yes.

CHAIRPERSON FIELDS:

Okay. So maybe, Dominick, you could share that because I think that's a real Department of Health issue and he gave them to you -- you know, I'm thinking maybe something might need to be done about being doing routine inspections because Fire Island does have a lot of mosquitoes and this could be the source of those mosquitoes. I mean, when you look at these photographs, that could be a huge amount of breeding areas that they have and since they the residents on Fire Island know that these are not going to be routinely inspected, they can dig up these things. I mean, they've dug little -- you know, you can -- Dominick will explain it to you, but I think that that might be something that we could look at.

But I also spoke to Costa Dillon yesterday and although he says these are not officially National Park Service questions, I'm just going to throw them out there because they're just questions that I think he wanted to present and couldn't be here. His question was why spray for nuisance mosquitoes; does this spend money that could be better used for disease control? Does this unnecessarily introduce insecticides to people and the environment? Does this unnecessarily kill other species? Does this confuse in the public's mind true disease risk from natural, environmental conditions; how can they tell when the County is responding to which? Should Vector Control and the County spend money on noninsecticide options? Are monies spent on nuisance spraying money that could be spent on other non chemical alternatives? If adulticide sprays only kill live, active adults, what value is nuisance spraying and how often must it be done to have an effect? And does the County have any studies or data on residual pesticides in water and ground, effects on other insects and the effects on fish, mammals, birds, etcetera?

I'm not going to ask you to answer all those, and maybe I'll give you a copy of this, Dominick, that maybe you could respond to that in the future.

MR. NINIVAGGI:

I certainly -- actually, I am prepared to respond to many of those.

CHAIRPERSON FIELDS:

But I think maybe we could bypass that just to get through this Vector Control Plan, because that needs --

MR. NINIVAGGI:

Well, I think this -- a very important issue has been raised here --

CHAIRPERSON FIELDS:

Okay, fine.

MR. NINIVAGGI:

-- as to why we should even spray for so-called nuisance mosquitoes at all. Again, parts of Suffolk County, particularly those near some of the Fire Island wilderness areas, have mosquito abundances that are simply intolerable to the people that live there. And the idea that this is unnecessary and that people should somehow live with the mosquitoes I don't think is something that's going to be tolerated by the residents of these areas. We are talking about people who literally step out of their doors, they have 20 or 30 mosquitoes landing on them, their children cannot go outside to play because of the mosquitoes. I'm always amazed when people say that, "Oh, it's just a nuisance, you don't need to spray", I think if you asked the people that live under these conditions I think you'd get a very different sense of this.

You know, certainly we do many non insecticide control activities, particularly this time of the year we're doing our winter water management. And as to the value of treating for nuisance, I think when people can go out of their house the next day because we have treated it, I think, you know, that's valuable to them.

CHAIRPERSON FIELDS:

But could I interrupt on that note? Just judging from the photographs



that Vinny Palmer gave me on the cesspools, we have no idea how many thousands or millions of mosquitoes we're producing at Fire Island. And rather than being reactive to spray for them, why are we not being proactive to look for where they're breeding?

MR. NINIVAGGI:

I can answer that. Number one, it's true that these ceptic systems probably are producing a lot of the Culex Mosquitoes that you see in this particular community. However, what we do know from our trapping and from trapping done by the National Seashore is that the National Seashore and Fire Island in general produces enormous numbers of salt marsh mosquitoes, these are the very aggressive mosquitoes that fly long distances and that cause very severe problems. You know, you know from the species that it's not coming from a ceptic tank, it's coming from a salt marsh. We have abundances per trap per night of 30,000 plus in parts of the National Seashore when a few hundred or a

thousand or so is a high number elsewhere in the County. So there's absolutely no doubt that salt marshes are an important source of mosquitoes on Fire Island

CHAIRPERSON FIELDS:

Do the numbers of mosquitoes at Fire Island change from day-to-day, month to month, year-to-year?

MR. NINIVAGGI:

Oh, absolutely.

CHAIRPERSON FIELDS:

So it would not be -- it would not be proper I think to make a generalization that we have these mosquitoes at Fire Island all the time. I'm just using my own personal experience. I live in an area that's surrounded by wetlands, and when we first built that house, when you say 25 or 30 mosquitoes land on you, they swarm you, they actually literally follow you from walking at your front door to get into your car. And when I had my children, you're right, I could not put them out, you know, bring them outside and let them play, and we actually bought a boat to escape the mosquitoes in the summertime and leave my area.

But my question is that, you know, when you make a statement that we have a certain amount of salt water mosquitoes on Fire Island, I'm not sure -- you know, I have lived in my house for 29 years and there were certain years that it was unlivable, but there are certain years that I really don't have a problem and I live on a wetland. So --

MR. NINIVAGGI:

Well, they vary, obviously they do vary from week to week and from year to year. But what I can tell you is that if you go back over the years, consistently and without any question the highest number of mosquitoes, particularly salt marsh mosquitoes, in Suffolk County are found on Fire Island and particularly in the wilderness areas, and there is no mystery about why that is, it's because mosquito prevention, either water management or larvicide is not done on those properties. Now, you know, I'm not saying that maintaining this area as a wilderness is not a good thing or any of these things, but the reality is is that when you don't do mosquito prevention, mosquitoes multiply and they can become very numerous, and that's a reality.

CHAIRPERSON FIELDS:

Karen I think has a comment .

MS. GRAULICH:

Sorry, I just wanted to get on to some of these subjects that were starting to slip away. First of all, from our position, treating the ceptic systems is the answer to the health risk by finding the West Nile Virus, that's the type of mosquito that you found it in and that's the best approach as opposed to the salt marsh.

We actually contacted the manufacturer in regard to the spraying of Fire Island who told us it absolutely could not be sprayed in that manner and be sprayed effectively. In order to spray the Island, you'd have to actually spray over the ocean to hit the Island and all the

large droplets would actually go into the ocean, if you sprayed over the Island it would go into the bay. So even the manufacturer didn't agree with that approach.

MR. NINIVAGGI:

Could I --

MS. GRAULICH:

I am not done. In terms of the {lasto} research and whether or not it's a waste of money to look into the pesticides, I don't know who said it was a waste of money but there are researchers looking into the relationship between some of the {lasto} diseases, some of the crab diseases that we've been seeing in pesticides. And with regard to the Altosid and the fish habitats, although very often we were very careful to say it's not harmful to vertebrates, it's the invertebrates that it is acutely toxic to that we are concerned with, that's a very important level in the food chain, it's one of the principal things that we need to preserve in the wetlands in order to maintain all the rest of the fisheries. So although you can say vertebrates and fish habitat, there is another level there that we have to be concerned with.

MR. NINIVAGGI:

All right. Now, first of all, again, as I mentioned, we have our own experience regarding spray at Fire Island. And I think that the on the ground experience of the person that's involved is the most critical in any spray operation. And we agree that these materials need to be used carefully, but the overall evaluation is that the impact of Altosid products on the non target invertebrates is very minimal. When the studies are done, when you look at what happens in the field, it's difficult to detect any impact at all. You know, this doesn't mean you should go over board, but I think that this is a very, very viable material to use. And in particular, in our case with the salt marsh mosquitoes, it's the only material that we have available to us in New York State that works consistently and effectively on salt marsh mosquitoes. And we had about 10 years of experience where the only material we were allowed to use in salt marshes was the bacterial product BTI, and while BTI will work under some conditions in the salt marsh and we do continue to use it, there are many situations where it simply doesn't work and when it doesn't work the mosquitoes come flying out of the marsh and then we find ourselves having to do aerial adulticiding and which is something we all agree is not the best approach. And when we start to use Altosid in the salt marsh, we've been able to greatly reduce and nearly eliminate our spraying by air for adult salt marsh mosquitoes. So I think that there's no question that Altosid is by far a net environmental plus in our program, it has, in effect, allowed us to reduce any adverse impacts of our program. It's a very important material for us.

CHAIRPERSON FIELDS:

Page six, I think we talked about this, "Can reduce the use of

pesticide", did we --

MS. GRAULICH:

We did that.

CHAIRPERSON FIELDS:

Okay. Then we go into number three, "Public Education and Outreach: Health Services has greatly expanded its role in educating the public about the public health importance of mosquitoes and in working to keep the public informed should control measures be necessary"; Karen?

MS. GRAULICH:

We'd like to know how this was done and how effective it proved to be and if that's going to be increased in the future.

COMMISSIONER BRADLEY:

There were multiple routes of getting the information out. Part of it was the notification procedures that we put in place this year for when control measures were going to occur in terms of adulticide, but also the information about positive virus findings. Because the first thing that we want to do is let people know there was virus in their community and they needed to take precautions above and beyond what we were going to be doing, so that was one thing that was new for this year. The other is that we hired an educator to go out and do presentations in libraries, in schools, in different public places to just give information about mosquito-borne diseases, and in particular about West Nile Virus because that's what people were interested about.

We had a lot of meetings with town people about what we were up against, and this was before the mosquito season started, and we talked to them about problems with ditches, things that individual towns needed to do to help us because we couldn't do everything at the County level. As I said, we went out when we were asked to give presentations in different places, we put a lot of information on our website, we sent information home to families through the schools; and all of that will continue, the plan is to continue at about the same level.

We do have information that we will be receiving through the Babylon {Sero} survey, in addition to the blood testing results that we'll have. We ask questions about whether they heard the preventative information through the media and how did they hear it, was it from the website, was it through the radio, was it through the newspaper? So that's going to be kind of a check on what we did to see if it had got out into that community and that was the community that had the most activity and a lot of our information was targeted at that community.

CHAIRPERSON FIELDS:

Karen?

MS. GRAULICH:

Did we see any reductions in the populations that you might attribute to them reducing breeding sites as the result of being educated?

COMMISSIONER BRADLEY:

You mean the type of Culex, is that what you're saying?

MS. GRAULICH:

Yes.

COMMISSIONER BRADLEY:

Well, normally when you talk about Culex and what an individual is going to do, it's based on what's in their backyard. Culex is not --

CHAIRPERSON FIELDS:

Maybe I could comment about that, maybe any of the other Legislators who might be here could comment. I know I got a lot of phone calls and sent them over to you, may well be in response to your education where people said, "My backyard is filled with water," and when I made phone calls you were very responsive and sent someone over there. So just my own personal experience, I think that because of the education of what's being been going on, I did get a number of phone calls of people who complained about areas, pockets in their yards where they were very, very concerned that there would be some pools breeding --

MS. GRAULICH:

We were wondering if this --

CHAIRPERSON FIELDS:

And maybe anyone else?

LEG. CARACAPPA:

Just a step further, Madam Chair?

CHAIRPERSON FIELDS:

Yes.

LEG. CARACAPPA:

I also, I had community meetings with the local PTA's where we brought in Public Health Nurses provided by the Commissioner and they were well attended and from that came many, many phone calls to my office and then to the Health Department on exactly what the chairperson was saying, backyard breeding, swimming pools in homes that were unoccupied that were full of water, gutters, even just basic tips; we're also doing a "Dump the Water Campaign" with the schools, a poster contest. So just the basic word from the initial outbreak of the West Nile Virus to disseminating information to the community, holding public meetings, bringing health professionals to discuss it, calm the fears and educate them on what to do in their own backyards and neighborhoods I believe has helped tremendously.

MS. GRAULICH:

My --

COMMISSIONER BRADLEY:

Let me finish because your question wasn't answered. When -- in 1999 our west nile experience started in the end of September, so surveillance was pretty much almost done at that point. So we really only have one year to make a comparison so I can't say whether we've seen decreased numbers of Culex; now, going next year I'll have something to compare it to.

MS. GRAULICH:

Okay.

COMMISSIONER BRADLEY:

But the education started before our first, so we don't have a true base line.

MS. GRAULICH:

So you didn't actually keep numbers on them before this occurred?

COMMISSIONER BRADLEY:

Well, no, because our surveillance before was really more directed at Eastern Equine.

MS. GRAULICH:

Okay.

COMMISSIONER BRADLEY:

We didn't know about West Nile, so I'm not going to be able to tell completely.

MS. GRAULICH:

Okay, I got it.

CHAIRPERSON FIELDS:

Okay, thank you. On page seven, number four, "Water Management and Source Reduction: In addition to its own program of wetlands restoration and maintenance," and that's the question that Chuck had, the word own. And I guess, Karen, you could --

MS. GRAULICH:

The question was were you conducting your own projects or are these the wetland initiative projects?

MR. NINIVAGGI:

What are you referring to here?

CHAIRPERSON FIELDS:

Number four, Water Management and Source Reduction, in addition to its own.

MR. NINIVAGGI:

Yeah, we're referring to our general Water Management Program which is, of course, a source reduction program.

CHAIRPERSON FIELDS:

Not the Long Island Initiative you're talking.

MR. NINIVAGGI:

Well, yeah. This refers to what we do in terms of our maintenance and our work, of course, with the initiative on the restoration projects.

CHAIRPERSON FIELDS:

So it's two different things that you're talking about there, then, your own program, the vector control program and then the Long Island initiative.

MR. NINIVAGGI:

Yeah, it's hard to say where one starts, stops and the other begins.

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But in this particular section, I was just referring to the fact that we do --

CHAIRPERSON FIELDS:

Well, it would be easy to say where one starts and where the other one begins because the initiative has certain areas that they're doing .

MR. NINIVAGGI:

Yeah, that's true, but we have -- again, we work very closely with the initiative on these. In this particular paragraph, all I was trying to say is that, you know, while we're out doing our normal water management, our normal restoration work, these are the other things that are going on .

MS. GRAULICH:

All right. So this isn't actually wetland restoration, this is like ditch maintenance you're talking about here, the restoration of ditches as opposed to wetlands; is that it?

MR. NINIVAGGI:

Well, we're referring -- in this particular sentence, I'm referring to our overall Water Management & Program which includes maintenance activities and work on the restoration projects.

MS. GRAULICH:

Okay.

CHAIRPERSON FIELDS:



Karen, do you have some more questions on that one?

MS. GRAULICH:

No. The next question is under biological control, in terms of the division's efforts in that regard, how will it be expanded, what are they planning to do?

MR. NINIVAGGI:

Okay. We're going to continue to have people working on the Fish Stocking Program. One of the things -- you know, I consider the use of this live bacterior and *Bacillus Sphaericus* as a biological control and one of the things that we found over the last couple of years is where it works and where it's most effective and the field crews have been getting experience using the material. What we're finding is that we really like it in a lot of situations and I think you'll see our use of that material continue to increase as part of our regular program. Very often when a crew visits a breeding site and they find breeding instead of putting in BTI which is the dead bacterior, more Altosid, they are very well going to be putting in *Bacillus Sphaericus*; it's not appropriate in every situation but we do like that material very much and we do plan to expand our use of it.

CHAIRPERSON FIELDS:

There's another sentence at the end of number five that says, "Birds, bats and other predators of adult mosquitoes are generally not effective in controlling mosquitoes." Just in the years that I have been involved with the National Audobon, I'm not sure that that's an

accurate statement. And where do you get your information from regarding bats? Because as far as I know, bats are an effective predator in controlling mosquitoes.

MR. NINIVAGGI:

Well, no, that's not accurate. And this is something -- where this comes from, for instance, with birds, people did energetic calculations on how many mosquitoes it takes to feed, say, a Purple Martin, and Purple Martins may eat some mosquitoes, so they extrapolated, okay, so a Purple Martin must eat so many thousand

mosquitoes per night. In fact, number one, mosquitoes are out mostly at night and the Purple Martins are feeding in the day time, and birds and bats tend to go for the larger insects where they get more energetic pay off rather than from the mosquitoes.

This is something that's known in the literature that bats themselves are not effective controls when you have large numbers of mosquitoes. They will eat some mosquitoes, but again, all these predators of adult mosquitoes tend to eat the larger insects in preference to mosquitoes and that make senses from their point of view in that why catch a hundred mosquitoes when you can get the same number of calories by capturing one beetle. So this is something that's well known in the mosquito literature. And again, where this comes from apparently in bats is that people have done experiments where they put bats in a room with mosquitoes and count the number of mosquitoes the bat eats. Well, if that's all the bat has to eat, yes it's going to catch a lot of mosquitoes, but in nature that's not the way these things work.

CHAIRPERSON FIELDS:

Number seven, Adult -- unless Karen has something else, "Adult Control" --

MS. GRAULICH:

Oh, yeah. This is a question on how the unacceptably high biting levels are determined?

MR. NINIVAGGI:

Well, again, that goes to what we previously said about looking at our traps and also looking at our complaint levels. In some cases we'll actually do biting counts where the crews will be in the field and they'll give us how many mosquitoes are landing on them per minute, and that's a good index of where --

CHAIRPERSON FIELDS:

Do they let them bite them?

MR. NINIVAGGI:

Generally not, the more experienced ones know not to do that. And it's interesting because that's a very valid measure of measuring mosquito abundance, and let's face it, you're actually, measuring the thing you're trying to control, the mosquitoes biting the people. That is kind of a --

LEG. FOLEY:

Is there any hazardous pay with that?

MR. NINIVAGGI:

Well, that's something to take up with Labor Relations. But I think that of course when you're dealing with a virus area, it might not be appropriate to send people out for biting or landing rates because even though the hazard is very low, theoretically it could be there. But landing rates can often be a very good way of determining whether you have a problem and it can be very good on effectiveness also because you can go out 20 minutes after a spray and see whether the mosquitoes are still biting.

CHAIRPERSON FIELDS:

Okay. Number -- well actually, under -- unless Karen has something else on there.

MS. GRAULICH:

No.

CHAIRPERSON FIELDS:

Under the last paragraph on page seven, middle of the paragraph, "When pesticides are needed, the first choice will be highly specific biopesticides"; Karen?

MS. GRAULICH:

This is exactly what we'd like to see but we're not sure that it's actually borne out, we'd like to know what proportion of biopesticides are used versus the other pesticides. And some of the comments in this work plan are requests to increase the amount of Methoprene as opposed to the bacterior and we'd like to see how these two -- they seem to conflict and how do they actually work out ?

MR. NINIVAGGI:

Well again, most of our material, most of our application is larvicides and biopesticide is actually an EPA term and I believe that Methoprene is actually included in that.

Again, we like the bacterial products, we use them in a lot of situations. They don't necessarily work in some of these situations and that's where the insect growth regulators come into effect. And we have increased our larval control program, for instance, this year we went up to about 31,000 acres of larval control treatment, the

previous year it was 26,000 acres. So we have actually increased our effort and our acreage in larval control, again, with the purpose of reducing the need for adult control.

MS. GRAULICH:

Unfortunately, most of that seems to be Methoprene, as I indicated before, we have some concerns about invertebrates with that. What we'd like to know is what proportion of bacterior is actually used versus the Methoprene?

MR. NINIVAGGI:

Okay. Well, we've sent the report to DEC on our pesticide use for the year and I believe we did it also in terms of acreage; if not, I can provide that. Most of our acreage is --

CHAIRPERSON FIELDS:

Chuck's comment --

MR. NINIVAGGI:

-- the aerial treatment of salt marshes.

CHAIRPERSON FIELDS:

I think Chuck's comment on that was he wrote, "Did he use biopesticide for West Nile Virus or EEE", and then he has in parentheses, "(answer is no)", so maybe he's using that report.

MR. NINIVAGGI:

Well, the direct response to virus is the control of adult mosquitoes and there are no biopoeesticides for control of adult mosquitoes. But we did step up our Larval Control Program. We did, for instance, treat catch basins in Babylon, Islip, parts of Brookhaven, with Altosid briquettes to reduce the breeding there. We treated various areas with the bacterial products. One of the things that we did over the winter, we had a problem last -- in 1999, we had nine horses die in the Riverhead area. Over the winter i had crews working on overtime on water management in that area and we increased our coverage of larval control crews there, that's one of the areas where we increased

our larviciding.

In terms of acreage, a lot of our acreage is the liquid Altosid in the salt marsh because that's the aerial treatment. In the fresh water areas we use a lot of the bacterials, but we did I guess about 5,000 acres worth of BTI application also in the salt marsh. So we do try to use those materials when they're appropriate.

LEG. CRECCA:

Madam Chair, if you would suffer an interruption for a moment?

CHAIRPERSON FIELDS:

I didn't know where the voice was coming from.

LEG. CRECCA:

I'm sorry, I know, it's the microphones. I know that I did not expect that the discussion was going to proceed this long today, and I would make a motion at this point to suspend testimony and go to the agenda.

LEG. CARACAPPA:

Second.

CHAIRPERSON FIELDS:

This is on the agenda.

LEG. CARACAPPA:

No, go to the voting of the resolutions.

CHAIRPERSON FIELDS:

This is one of the resolutions.

LEG. CRECCA:

I understand that.

CHAIRPERSON FIELDS:

How do we vote on it if --

LEG. CARACAPPA:

We don't have to vote on it, we have till the end of the year.

LEG. CRECCA:

Yeah, this is not -- this doesn't have to be done today. I did not anticipate that there was going to be this much discussion and debate over this. And certainly, you know, I know we got a little bit of a late start today.

CHAIRPERSON FIELDS:

You know, I thing this is a public health problem and, you know, we went through this before and they were lengthy discussions. So, you know, I understand that you're saying you didn't thing it would be, but I thing these are questions that do need to be answered. And part of the problem is that, I don't know, did you send DEC a copy of this plan?

MR. NINIVAGGI:

Yes, as a courtesy I sent them a copy of the plan I guess shortly after I produced it.

LEG. FOLEY:

Madam Chair?

LEG. CRECCA:

I think --

LEG. FOLEY:

To follow up on Legislator Crecca's point --

LEG. CARACAPPA:

He has the floor still.

LEG. FOLEY:

Whether we have enough time today to ask all questions, because certainly I have some myself, we do have another committee meeting --

LEG. CARACCILOLO:

We have two.

LEG. FOLEY:

-- in December.

LEG. CARACCILOLO:

We have two more committee meetings.

LEG. CARACAPPA:

One more.

LEG. FOLEY:

One more.

LEG. CARACCILOLO:

Oh, including today's, okay.

LEG. FOLEY:

I want to praise the Chair for having this as, let's say, a highlighted discussion. And it's of such importance that if we can't receive all the answers to our satisfaction today, I would hope that Ms. Graulich as well as the Health Department and Public Works would be able to be here at our next Health Committee meeting. Because I think the answers that have been generated today or the questions that have been generated today, those of us who will review these things before the next meeting will create other questions that will need to be answered, particularly by Vector Control.

LEG. CRECCA:

Its certainly --

LEG. FOLEY:

And I could spend a good half an hour myself, Madam Chair, when you're finished to ask some questions. But I would hope that Ms. Graulich as well as the other folks here would attend the next committee meeting because I think that as thorough and as excellent job as the Chair is doing asking questions today, it's the kinds of questions that generate other kinds of questions that whether we have enough time to answer today, certainly we can continue that at the next meeting.

LEG. CRECCA:

And, you know, I would just add too that it might even be helpful then, too, for the DEC to talk to the appropriate people at the Health Department also in the interum too and maybe they can resolve some of these issues and sort of hone in on the important ones. But I believe my motion was to go right to the voting on the resolutions.

LEG. CARACAPPA:

Second.

LEG. FOLEY:

And after the resolutions we could come back and ask questions on it.

LEG. CRECCA:

I think there's a second by Legislator Caracappa also.

CHAIRPERSON FIELDS:

All in favor?

LEG. CARACAPPA:

Well, on the motion.

LEG. CARACCILOLO:

On the motion. I would just like to have the record reflect that this type of review is certainly warranted by this committee and I think the most appropriate way to conduct the review is to have the DEC, if they have questions concerning the County's plan, put in writing those questions, copy every member of this Legislature, not just the members of this committee, so that we could all take a look at this process and before the adoption of the plan, which by law has to be done by

the end of this calendar year, address those concerns and issues that the DEC feels needs to be addressed.

To take this much time at a committee meeting for this purpose and only get half way through it and subject committee members who have other commitments and, quite frankly, were not prepared to spend this much time on this item, regardless of the fact if it was listed on the agenda, there was no clear cut indication that it was going to be a Q & A for two and a half hours, and the meeting started a half hour late.

That said, I think we should continue the process. Let's do it in writing, it's the same as if we had a record of questions and answers at a committee meeting and that's something, a hard copy that's available to anyone and everyone who's one whose rightfully entitled to it. So I will vote in the affirmative to go to today's agenda.



CHAIRPERSON FIELDS:

I will do as you request, but I disagree that this is not the place nor that the amount of time is not proper. I think that the amount of time spent on a public health issue of this degree and the ramifications that it may have for the people in Suffolk County is something worth spending the time and the effort.

LEG. CARACCILOLO:

I'd like to comment. I would agree, and I think perhaps you misconstrue my remarks. And I think it's something that is so important that it should be shared with every member of the Legislature, not just the five members of this committee. And the best way to do that --

CHAIRPERSON FIELDS:

Well, I think that will happen --

LEG. CARACCILOLO:

Pardon me.

CHAIRPERSON FIELDS:

But this is our committee.

LEG. CARACCILOLO:

Pardon me. The best way to do that is to put in writing from the State DEC those concerns they have regarding this plan so that the appropriate County officials in the Division of Vector Control can respond to that. To have them come in today not prepared -- and let me ask the Commissioner, were you prepared for this type of --

COMMISSIONER BRADLEY:

I knew we were going to have the Vector Control plan, I did not know that DEC had issues. DEC has had the plan --

LEG. CARACCILOLO:

Yeah, I think as a courtesy --

COMMISSIONER BRADLEY:

It would have been nice I think if we would have seen it ahead of time.

LEG. CARACCILOLO:

The committee has a responsibility --

COMMISSIONER BRADLEY:

We would have been more prepared.

LEG. CARACCILOLO:

-- to notify department heads when something like this is going to take place to be prepared, to be in a position to be prepared. And quite frankly, I think Dominick has done an excellent job because although I was out of the room trying to work on that constituent problem the Chair handed me concerning a constituent who had their water turned off, I was listening over the microphone to the diatribe and I know what's been taking place, and it is important so I don't want to minimize the importance. But I think to move forward in a timely fashion, let's put it in writing, it's the same as a recorded record and let's everyone share in the information.

LEG. FOLEY:

I think just as a follow up, Madam Chair.

LEG. CARACAPPA:

Madam Chair?

LEG. FOLEY:

We could look at this as round one and then round two will be at the next committee meeting which will be in two weeks time.

MS. GRAULICH:

I can't.

LEG. FOLEY:

You won't be --

LEG. CARACCILOLO:

Well, along those lines, then I would suggest if --

MS. GRAULICH:

I really don't know, I have to check my calendar, I don't know.

LEG. FOLEY:

Okay.

LEG. CARACCILOLO:

If that's the way we're going to proceed, then everyone in fair notice has been served and I would just reiterate to the Department of DEC that give our County officials an opportunity to pose the concerns or questions you have in writing so that when we have the continuation of this dialogue we can address those specific issues.

LEG. CARACAPPA:

On the motion.

CHAIRPERSON FIELDS:

Go ahead.

LEG. CARACAPPA:

I just want my feelings to be recorded too on the record. I couldn't agree more with Legislator Caracciolo, especially when it comes to not reaching out to our department professionals and telling them that they would be put through inquisition on such an important health matter. On top of that, the committee members weren't polled and asked through the Chair if we would be -- would want to be part of the process in a committee this day to see this process in action of a question and answer on this Vector Control Plan that I do know has to be passed by the end of this calendar year.

And I think it is important that the questions that are being asked by the DEC and the Chair be put down in writing, sent back and forth to the respective parties involved, sent to the members of this committee for review in a hard copy fashion, and then the questions that we have arising out of that we ask in the committee cycle. It also should be sent to each member of the Legislature and this question and answer, if it were to be held, should have been held on the floor of the Legislature so that all 18 members could be a part of it. Because as we're all well aware, last time we tried to pass this Vector Control Plan it was held up because other members not on the Health Committee were shouting, hemming and hawing that they weren't made part of the discussion, they didn't know what they were voting on, they didn't know what was in the plan, they were never reached out to by the Chair or the former Chair and we're heading down that same path again. And

to do it in this fashion I think is not warranted and I think it sets us back to the point we were at last year. So I would move with the second to Legislator Crecca's motion to do the agenda and to take this up at the next meeting, after we've had all the questions and answers provided to us in hard copy.

LEG. CARACCILOLO:

Just one final point, Madam Chair. I would like to commend you for this year making certain that a plan was presented and considered and hopefully approved in a timely fashion as opposed to, as you pointed out earlier this year, previous occasions where that wasn't the case. So you deserve a lot of credit for doing so, and I don't think any of the remarks previously made by myself or others should be construed as anything negative in terms of your efforts to accomplish that goal.

Before we go to the agenda, I would just request if Bob Maimoni can come forward and beg my colleague's indulgence on this constituent issue of having their water turned off which is definitely a health concern. And Bob, do you have anything to report to the committee on this constituent in Calverton? Make it quick, please, Bob.

MR. MAIMONI:

Just for everybody's benefit, there was a constituency complaint of some tenants who live in Calverton Hills. The Homeowners Association had threatened to turn off the water because the common charges hadn't been paid. The complaint came to the Health Department's attention I believe about ten days ago, it came to my attention about ten minutes ago. The Health Department has sent a letter out, I believe it's

dated the 27th of November, which informs the Homeowner's Association that they're not allowed to turn the water off. In the meantime, we've also gotten Social Services to contact these folks, because if they're having a problem we don't want them to become homeless.

LEG. CARACCILOLO:

Very good.

MR. MAIMONI:

And that's where it sits right now.

LEG. CARACCIOLO:

Very good. Will you notify my office as soon as you get confirmation that the water has either been restored or in fact --

MR. MAIMONI:

It has never been turned off.

LEG. CARACCIOLO:

Has not been turned off, that's great news. Thank you.

MR. MAIMONI:

We told them not to and we're doing some research, we'll get back to you.

LEG. CARACCIOLO:

Thank you very much. And I thank the Chair for bringing this matter to my attention this morning.

CHAIRPERSON FIELDS:

Thank you.

#### TABLED RESOLUTION

IR 1749-00 (P) - Establishing Safe Haven Policy for the Blind (D'Andre).

LEG. CRECCA:

Motion to table.

CHAIRPERSON FIELDS:

I'll second the motion. All in favor? Opposed? Motion tabled (Vote: 5-0-0-0).

IR 1916-00 (P) - Implementing the purchase of Mobile Veterinarian Clinic (Haley).

LEG. CRECCA:

Motion to table.

CHAIRPERSON FIELDS:

Table -- who made the motion?

LEG. FOLEY:

Dominick, why don't you just stay because we're going to continue with some questions --

CHAIRPERSON FIELDS:

Yeah, we're not finished yet.

LEG. FOLEY:

-- after we vote, there will be some other questions going back.

CHAIRPERSON FIELDS:

Who made the motion?

LEG. CRECCA:

Motion to table.

CHAIRPERSON FIELDS:

And second by Legislator Caracappa. All in favor? Opposed? Motion to table is approved (Vote: 5-0-0-0).

IR 1919-00 (P) - Establishing Suffolk County Office of HMO Services (Levy).

LEG. CRECCA:

Question on this. Counsel --

LEG. CARACAPPA:

We have the Department of Aging here.

LEG. CRECCA:

Yeah. I thought that this was amended. Maybe I have the old version; is it now for the Department of Aging?

MR. SABATINO:

Yes, it's the Office of Aging; a corrected copy was filed per the discussion at the last committee meeting.

LEG. CARACAPPA:

On the motion, Madam Chair.

LEG. FOLEY:

Motion to approve.

LEG. CARACAPPA:

On the motion. Could we just hear quick a word from Holly Rhodes-Teague who is here on the matter from Office of the Aging?

LEG. CRECCA:

Thank you, Commissioner.

MS. RHODES-TEAGUE:

Good morning. I just wanted to talk a little bit about the bill and what our office has been doing so that you're aware of the background behind it.

HMO terminations is a two-pronged issue. The first one has to do with why it happened, the cause of the issue which is really the 1997 Balanced Budget Act which was passed by Congress. In there somehow the formula that they used to reimburse the Counties, the HMO's in each County for the people within the County, somehow Suffolk was

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short changed. It's an issue that we have yet to come up with how the formula has been put together, we had the legislation, I can't figure it out. It might be something that perhaps the committee would want to try to get a hold of HCFA, the Health Care Financing Administration who oversees it, to see if there's -- if they could tell you how that formula has come together. It's a really --

CHAIRPERSON FIELDS:

We tried that.

MS. RHODES-TEAGUE:

Well, it's just that I think it's more specific now as to what the real issue, is that it's in that Balanced Budget Act. I mean, perhaps maybe one of our Federal Legislators could let us know. But anyway, that seems to be key the key to why the issue has occurred.

In terms of being able to -- in terms of being able to negotiate with HMO's, that's not something that I believe my office would have the ability or the authority to do so. It's not something that the Health Care Financing Administration does, it's not something that I think is operative within my office.

The other thing -- the second part of the problem, though, is that we have the assistance that we do for the seniors in Suffolk County, and I know for the last couple of years my office has been very actively involved in that. We just finished a round of ten meetings throughout Suffolk County, we reached over 3,000 people within the County through those meetings, we had 1,300 sitting in Hauppauge last Monday, they were very successful. We brought in experts from the Feds from Medicare, Epic, we had Veterans, we had Health Care Financing Administration, and they were all there to assist the seniors. We got very positive feedback from the seniors because we were telling them about that their alternatives are. Their alternatives include the Epic Program which was greatly enhanced this year, it's been wonderful for a lot of the seniors to be able to get their prescription drugs through that program. They also had the option of going to Blue Choice, we had them at the last couple of meetings to answer questions for them. You know, we've had a lot going on for the seniors and I think our office is doing everything we can to assist them now with the stuff that we've been doing.

LEG. CARACCILOLO:

I have a question, too.

LEG. CRECCA:

I would just interrupt just to tell Holly that -- just on that particular note of what you just stated, I was in attendance at the one that was in Hauppauge, it was very, very well attended, very well done. And I didn't even tell you this yet, Holly, but we got about a dozen letters already at my office thanking us for notifying them and also for the great job done that was done that day. So you're doing a great job here.

MS. RHODES-TEAGUE:

Thanks.

LEG. CARACCILOLO:

Holly, the question I have relates to the resolution. It seems to me that what the resolution would have you do you are, in fact, doing.



MS. RHODES-TEAGUE:

Correct.

LEG. CARACCILOLO:

The resolution doesn't specify if there would be additional staff required to carry out any additional functions. So first, are you in fact doing what's outlined already in the resolution?

MS. RHODES-TEAGUE:

Well, the assistance to the seniors my office is doing 100%, it's part of what we do all along. We've got seniors -- we've got our case workers on the phones, as we always have, when we need additional staff we put them on the phones, we have our advocates out at the sites to let people know what's going on. They've all been trained on the HMO issue, we've trained our contractors on the HMO issue, we've trained our volunteer {highcap} volunteers on the HMO issue. So I think we've got quite a group of people out there who can assist right now.

LEG. CARACCILOLO:

Would you advocate for the favorable consideration of this resolution by this committee?

MS. RHODES-TEAGUE:

I don't believe it's needed.

LEG. CARACCILOLO:

Okay. Could you just state for the record why you don't believe it's -- I think you gave me the answer but I think it's important for the record.

MS. RHODES-TEAGUE:

I believe my office right now is already providing all the assistance that we can to the seniors, and I believe the other part of the resolution talking about negotiations with HMO's --

LEG. CARACCILOLO:

Pooling, pooling.

MS. RHODES-TEAGUE:

-- is not something that we're able to do, I don't think I have the authority to do that. So I don't believe that's something that would be within my jurisdiction. I believe possibly the best way to go about this is to continue to advocate with our federal legislators and with the Health Care Financing Administration to resolve the issue of the 1997 Balanced Budget Act.

LEG. CARACCILOLO:

Have there been any attempts to reach out to Federal Legislators?

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MS. RHODES-TEAGUE:

I believe the County Exec's Office has done that. We have been in contact with the Health Care Financing Administration --

CHAIRPERSON FIELDS:

We passed three bills to try to do that, too.

LEG. CARACCIOLO:

Okay. But along those lines, I don't think we should, you know, be remiss in actually now going a step further, and that is initiate correspondence from this committee to the appropriate Federal officials, those who represent constituents in this County and all three Congressional Districts as well as the two Senators from this State. To have representatives from their offices come here and explain to us the Federal Reduction Act of 1997, its implications and why Suffolk County in the Tri-State area, residents of this County which has a disproportionate high amount of seniors, are receiving fewer benefit dollars from Federal Government agencies than counterparts. When you look at New York City area, Staten Island residents are receiving about 30% higher reimbursement rates than Suffolk; I think we're owed an explanation as well as the people we represent.

So I would like to see Counsel prepare a letter requesting those Federal representatives to appear before this committee and let's see if they respond, so their constituents will know whether or not they're being responsive to their needs as Federal representatives.

LEG. FOLEY:

Madam Chair?

CHAIRPERSON FIELDS:

Legislator Foley.

LEG. FOLEY:

Just as a follow up. The HMO's that have pulled out of Suffolk, or are about to, they have used the Budget Balanced Amendment, the BBA, as the reason for pulling out because of the disparity in the reimbursement rates; I am somewhat suspicious of that reasoning and I'll tell you why. I've have had seniors also who have called my office and who have also spoken with their HMO's that are pulling out and said that they would pay out of pocket, that some of the seniors would pay out of pocket the difference in the rates between this County and other counties. In other words, calling the HMO's bluff by saying, "okay, there may be a disparity in rates, but out of our own pockets we'll make up that difference." Even in those circumstances, the answers they received from their HMO -- the respective HMO's was that they were still going to pull out of this particular County.

So one of the questions is are the HMO's simply using as an excuse the disparity in rates as the reason to pull out of Suffolk County, or are there other reasons why they're pulling out of this particular County? That can't be answered today. One of the reasons why this resolution should be approved and reported out of this committee is that it's that kind of question -- that kind of advocacy which has been said today by the Commissioner has already gone on, but I think that by not

only doing this administratively but by having a resolution approved by the Legislature putting us on record, if you will, of how serious this need is. I think that would be another avenue that we can use, another weapon that we can use to try to bring to the attention of the Federal Government as well as to HMO's the problems that our senior citizens are having in this particular area. So Madam Chair, I still make the motion to approve.

CHAIRPERSON FIELDS:

I also agree that we have to do every single possible thing that we can do. And in regard to the comment made by Legislator Caracciolo about asking our representatives, we did send letters several months ago, we asked Rick Lazio to come, he sent someone to just listen; we sent a letter to Mike Forbes, he sent someone to just listen; and we sent one to Schumer and he didn't send anyone. So we will reach out again and do that again, but we have attempted to do so many things

and I'm sure each one of us as Legislators have done things for our constituents hoping that we can help in some way. But perhaps this might be just another step in trying to accomplish that. We'll -- you made the made to approve, I will second it. All in favor?

LEG. CARACCILOLO:

On the motion. With regard to item two in the first RESOLVED clause, "Evaluating the feasibility of pooling senior citizens," I think you had indicated you don't feel it's within your ability to do so. Legislative Counsel --

MS. RHODES-TEAGUE:

Wait, I'm looking --

CHAIRPERSON FIELDS:

The first WHEREAS?

LEG. CARACCILOLO:

The first RESOLVED clause, item two.

LEG. FOLEY:

Very bottom. You have the amended bill, correct?

LEG. CARACCILOLO:

Yeah, that was in the original bill, that didn't change. I would like Counsel to respond as to whether or not in terms of jurisdiction, would the Office of Senior Citizens Affairs have that capability presently, and if so, how do you feel they would best be able to utilize it?

MR. SABATINO:

Well, they don't have the authority right now, that's why this legislation was proposed. I mean, the statement she made before was correct that she doesn't currently have the authority, that's the point of the resolution. If this were to be adopted, that would provide the authority to do the items in one, two and three.

LEG. CARACCILOLO:

Okay, Holly. You feel -- presently you don't have the authority, you feel if we give you the authority you don't have the authority --

MS. RHODES-TEAGUE:

I believe that what you're asking to do here with HMO's and prescription drugs are all on the Federal and the State level, I don't believe it's something that should be done here in Suffolk County.

LEG. CARACCILOLO:

Okay. I would make a motion to table and --

LEG. CARACAPPA:

Second

LEG. CARACCILOLO:

-- request an opinion from the County Attorney as to whether or not -- so we have a clear cut answer. We're threading into waters that we clearly don't have jurisdiction. That shouldn't be too difficult to do and it shouldn't take too long, we have a committee meeting in a couple of weeks.

LEG. FOLEY:

On the motion. On the motion to table.

LEG. CRECCA:

Well -- all right.

LEG. FOLEY:

On the motion to table.

CHAIRPERSON FIELDS:

Mr. Sabatino has something to say.

MR. SABATINO:

No, I was just going to say that her last statement said she didn't think that we should do it, but that's not the same thing as saying you don't have the authority.

LEG. CARACCILOLO:

I understand.

MR. SABATINO:

The earlier statement was that there was no authority, and she's correct because the resolution hasn't been adopted. If the resolution is not adopted she has no authority, if the resolution is adopted there's now authority.

LEG. CARACCILOLO:

I'll make a motion to table.

LEG. CARACAPPA:

Second.

LEG. FOLEY:

On the motion to table.

CHAIRPERSON FIELDS:

Legislator Foley.

LEG. FOLEY:

On the motion to table, if the reason given by Legislator Caracciolo is that he would like to hear perhaps -- well, definitely in writing from the County Attorney's Office on the this issue, but if we notice that this bill was laid on the table on August 31st and I believe the County Attorney's Office has had ample time to chime in on this. And I think, you know -- well, not think, as one Legislator, I don't want to delay this any further. The County Attorney's Office has had plenty of time to look into this and I just think that this is something that we need to move on.

LEG. CRECCA:

If I can just be heard briefly. You know, I'm a cosponsor of this bill, but some of the concerns that have been raised here this morning I think are very legitimate. And, you know, I would like to speak to Legislator Levy and also have a further conversation with Holly and see if we can maybe resolve some of this and work out something that's maybe both the County Executive's office would be happy with as well as the Legislature which would address the problem. So I would support a motion to table today.

CHAIRPERSON FIELDS:

That motion takes precedence.

LEG. FOLEY:

On the motion again. If I may ask Holly; Holly, have you spoken to the sponsor of the bill?

MS. RHODES-TEAGUE:

No, I have not.

LEG. FOLEY:

You haven't reached --

MS. RHODES-TEAGUE:

This bill was originally in the Health Department.

LEG. FOLEY:

I understand that. But when the amendments were made --

MS. RHODES-TEAGUE:

I only got this within the last week and a half.

LEG. FOLEY:

Within the last week and a half.

MS. RHODES-TEAGUE:

Yeah, that was it.

LEG. FOLEY:

Okay.

MS. RHODES-TEAGUE:

I only found out about it just prior to the HMO meeting we had in Hauppauge.

LEG. CARACCILOLO:

Okay. I would just close my remarks on this point that the County Attorney, that request should go out today. And under provisions of the Davis Law, the County Attorney's Office has five days to respond and I think that should be made clear in the letter, that we want a response before the next committee meeting which is two weeks so that we can properly address this resolution.

CHAIRPERSON FIELDS:

All in favor of tabling? Opposed? I oppose.

LEG. FOLEY:

Oppose.

CHAIRPERSON FIELDS:

And the tabling passes (Vote: 3-2-0-0 Opposed: Legislator Fields & Legislator Foley).

We are up to 19 --

LEG. CARACCIOLO:

Madam Chair, will you initiate that correspondence?

CHAIRPERSON FIELDS:

Yes, I will.

IR 2028-00 (P) - Adopting Local Law No. 2000, a Local Law defining income for disabled person on real property tax exemption (County Executive). Is there a motion?

LEG. CARACCIOLO:

Explanation.

MR. SABATINO:

The legislation originally granting this property tax exemption for disabled people was adopted a year ago. This is the first annual State authorization to increase the income threshold so that now somebody making as much as \$28,900 who fits into the category of being permanently disabled would be eligible for the property tax exemption.

LEG. CARACCIOLO:

Motion to approve.

LEG. CARACAPPA:

Second.

CHAIRPERSON FIELDS:

All in favor? Opposed? Motion is approved (Vote: 5-0-0-0).

#### INTRODUCTORY RESOLUTIONS

2123-00 - To initiate RFP Committee process for Plum Island Health and Environmental Risk Assessment (Caracciolo).



LEG. CARACCIOLO:

It's my understanding this resolution was reported out of E&E. Counsel, there is a correct copy with new time lines and is that the resolution that was reported out?

CHAIRPERSON FIELDS:

Is Dr. Bradley here?

LEG. CARACCIOLO:

Yes.

COMMISSIONER BRADLEY:

Yes.

MR. SABATINO:

Yes. Well, just to answer the question, it was discharged without recommendation based on the new time lines, right.

LEG. CARACCIOLO:

Okay. Commissioner, you and I had a conversation Monday after that meeting and I thank you for calling me and bringing to my attention your concerns about an expedited time schedule. Would you be kind enough to just reflect your concerns in that regard?

COMMISSIONER BRADLEY:

Yeah. Especially having our experience that we have with the Peconic and the Oversight Committee and working with the communities and seeing how long it took us there, just to get -- first you need to know who the representative is, so that takes a couple of weeks to find out who the people are that are going to be assigned to the committee. And then to get together -- and Plum Island as opposed to BNL -- in many of the areas, we don't know a lot about what goes on over there; I have to say, with BNL we had a good handle of what was going on. So it's a new area for ourselves and many of the committee people. But I don't think we're going to get an RFP published by April 1st, I just think that time frame is not long enough for us; I mean, we'll try. And it's not just the Health Department, it's all of the community organizations, it's the town people, it's some people outside of Suffolk County, and then we have to work with Purchasing and we have to work with the County Attorneys and that adds a time

delay to it as well.

LEG. CARACCILOLO:

Here's the concern I have, as I think I expressed briefly on Monday. While I can appreciate we are reaching out to Federal and State agencies for participation on this committee, clearly more than two-thirds of the participants are local. And once we establish liaison with the Federal and State reps, from my experience in government, the sooner you have time lines the sooner things get done.

But that aside, and I think that's an important consideration, more important is the fact that we know the Federal Government, the USDA, has requested an upgrade of this facility to test the most deadly known human pathogens which could have far reaching and devastating effects on not only human but also animal life in this entire northeast portion of the country.

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That said, and since the USDA has reported in today's paper which we were apprised of last week is moving forward with plans to upgrade the existing facility and possibly set aside a portion of its use for a Bio Safety Level IV purpose, I think really puts us under a very tight schedule. And if we allowed this to go beyond the end of next year for some type of report and evaluation, we may not have ample opportunity to stop this from going forward. For those reasons, I would ask your indulgence and do everything that I know you will do to get this committee in place and take care of the work at hand based on the amended time frame.

COMMISSIONER BRADLEY:

Right, and I'll let you know if we slip.

LEG. CARACCILOLO:

Thank you very much.

CHAIRPERSON FIELDS:

So how do you want to --

LEG. CARACAPPA:

Motion to defer to prime.

LEG. CARACCILO:  
I'll make a motion to approve.

LEG. FOLEY:  
Second the motion to approve.

CHAIRPERSON FIELDS:  
All in favor?

LEG. FOLEY:  
Aye.

CHAIRPERSON FIELDS:  
Opposed? Motion is approved (Vote: 5-0-0-0).

LEG. CARACCILO:  
Thank you.

CHAIRPERSON FIELDS:  
IR 2135-00 (P) - Accepting and appropriating 100% State Grant funds to the Department of Health Services, Division of Mental Hygiene Services, from the New York State Office of Mental Health through reinvestment VI to develop a peer support program for consumers negotiating the social services system (County Executive).

LEG. CARACAPPA:  
Motion to approve.

LEG. CRECCA:  
Second.

CHAIRPERSON FIELDS:  
Motion to approve. All in favor? Opposed? Motion is approved (Vote: 5-0-0-0).

LEG. CRECCA:

Motion to place on the consent calendar.

LEG. FOLEY:

Second the motion.

CHAIRPERSON FIELDS:

IR 2157-00 (P) - Amending the 2000 Capital Budget and Program and appropriating funds in connection with Forensic Sciences Medical and Legal Investigative Consolidated Laboratory (County Executive).

LEG. FOLEY:

Explanation, please.

COMMISSIONER BRADLEY:

Okay. This is to appropriate Capital funding. Now, our original Capital Plan had us purchasing equipment based on what we felt was going to be the time line for the renovation/expansion of the Medical Examiner's Office and the Public and Environmental Health Lab, now, with the final Capital Project, that has been pushed back. So planning I believe now is in 2001 with construction to begin sometime 2002 or later.

So what we're doing here is appropriating the money and moving some of what was originally going to be equipment, because we're not going to be up and running when we thought we were, and move that to planning which we didn't feel we had enough planning money. So that's what this does; it doesn't add any new money, it moves it from one area to another.

LEG. CRECCA:

Motion to approve.

LEG. CARACCILOLO:

Second.

LEG. FOLEY:

Just on the motion, if I may. What kind of expansion, Commissioner, were we talking about? Because there was a problem, as we will recall, between the DA's building, the ME's Building and the 4th Precinct building --

COMMISSIONER BRADLEY:

Right.

LEG. FOLEY:

-- as to which one was going to take up how much space and there needed to be, let's say, a collective approach to that portion of the

North County Complex on how different scenarios for expansion of each of the buildings would take place. How does this fit into that? Is this really just a renovation, is it a sizeable expansion, what -- well, that's the first series of questions.

COMMISSIONER BRADLEY:

Okay. The proposed expansion is for the Crime Lab and mainly around the area of DNA.

LEG. FOLEY:

Right.

COMMISSIONER BRADLEY:

Because when -- I think we said this before, when the Medical Examiner's Office was planned many years ago, DNA had not even been something that we could use.

LEG. FOLEY:

Okay. So what part of --

COMMISSIONER BRADLEY:

That's part of it. The other is a radiologic section for the Public and Environmental Health Lab so that they can do more radiologic testing, and actually we received some money from BNL to help us with that construction.

Now, there is a conflict between the 4th Precinct proposal and our proposal.

LEG. FOLEY:

Right, yes, right.

COMMISSIONER BRADLEY:

And I don't believe that the County has made a final decision --

LEG. FOLEY:

That's correct.

COMMISSIONER BRADLEY:

-- on who will go where.

LEG. FOLEY:

Space Management -- just through the Chair, Space Management has not made a decision on this particular. So my question to the committee and also to the Commissioner is that since there hasn't been a decision made on how to balance the needs of the police department in the Health Department in the Health Department. Is it premature to pass a resolution like this when there has not been any resolution to the issue of who gets how much space next to the building?

COMMISSIONER BRADLEY:

Well, if we don't appropriate the money it will be gone, gone from the project.

LEG. CARACCIOLO:

It's 2000 money.

COMMISSIONER BRADLEY:

If we don't appropriate it this year, this 2000 money will be gone. And what we're doing is moving it to planning for next year, and I would hope that by next year the County has made a decision on who's

going to go where. Whether we're going to have to instead move into the district -- go the District Attorney route, whether we're going to be moving towards the 4th Precinct, I mean, the County needs to make that decision. But the money, I'm just asking for it just to go to planning for 2001.

LEG. CARACCIOLO:

Question on that point. Who within government makes the decision as to whether or not to consolidate, to separate or give jurisdiction to one of the other departments?

COMMISSIONER BRADLEY:

I believe it's the Space Committee.

LEG. CARACCIOLO:

Okay. And do we know when that decision might be made or when this

issue may be taken up for resolution?

COMMISSIONER BRADLEY:  
No, I don't know that.

LEG. CARACCILOLO:  
All right. I think --

LEG. FOLEY:  
The answer to that is it's dependent upon the management of government to submit to the Space Management Committee, you know, what their intentions are to administer the different programs within those given buildings.

LEG. CARACCILOLO:  
I agree.

LEG. FOLEY:  
And that hasn't happened.

LEG. CARACCILOLO:  
I agree. And I would ask the Commissioner that maybe she can facilitate that taking place, which she's more than capable of doing I'm sure.

COMMISSIONER BRADLEY:  
Sure.

LEG. CARACCILOLO:  
But in terms of the funding and the funding being present year money, I'm make a motion to approve.

CHAIRPERSON FIELDS:  
Did we have a second on that?

LEG. CRECCA:  
I seconded it.

CHAIRPERSON FIELDS:  
All in favor? Opposed?

LEG. FOLEY:

Just again, can you continue for a moment -- if I may, Madam Chair, with the indulgence of the committee. Commissioner, if we're appropriating \$440,500 for equipment, it's equipment for the new laboratory or the current laboratory?

COMMISSIONER BRADLEY:

For the current.

LEG. FOLEY:

Okay.

COMMISSIONER BRADLEY:

We scaled it back down --

LEG. FOLEY:

Okay, so it's for the current.

COMMISSIONER BRADLEY:

Because we're not ready to go with the physical --

LEG. FOLEY:

Understood. Okay, thank you.

COMMISSIONER BRADLEY:

Sure.

CHAIRPERSON FIELDS:

Okay, that was approved (Vote: 5-0-0-00.

IR 2166-00 (P) - Amending the Department of Health Services 2000 Adopted Budget to reallocate 2000 Budgeted funds for contracted agencies in the Division of Public Health and the Division of Patient Care Services (County Executive).

LEG. CRECCA:

Motion to approve.

LEG. CARACAPPA:

Second.

CHAIRPERSON FIELDS:

All in favor? Opposed? Approved (Vote: 5-0-0-0).

IR 2187-00 (P) - Approving the Vector Control Plan of the Department of Public Works, Division of Vector Control, pursuant to Section



C8-4(B)(2) of the Suffolk County Charter (County Executive). I will make a motion to table.

LEG. FOLEY:

Second the motion.

CHAIRPERSON FIELDS:

All in favor? Opposed? Motion is tabled (Vote: 5-0-0-00.

#### INTRODUCTORY SENSE RESOLUTIONS

Sense 141-2000 - Memorializing Resolution requesting U.S. Congress to offer medical nutrition therapy to all Americans eligible for Medicare Benefits (Postal).

LEG. FOLEY:

Motion to approve.

CHAIRPERSON FIELDS:

I'll second the motion. All in favor? Opposed? Motion is approved (Vote: 5-0-0-0).

Sense 142-2000 - Memorializing Resolution requesting the State of New York to raise Medicaid reimbursement rate for registered nurses and Licensed Practical Nurses (Fields). I'll make a motion to approve.

LEG. CRECCA:

On the motion.

LEG. FOLEY:

Could we also include Suffolk County?

LEG. CRECCA:

Well, on the motion. Is there a fiscal impact, should they do this to the County and does it increase our contribution too?

COMMISSIONER BRADLEY:

Not through the Health Department but I believe through Social Services, but it wouldn't affect us.

LEG. CARACCILOLO:

Do we know what the financial impact may be?

LEG. FOLEY:

No.

COMMISSIONER BRADLEY:

Do I? I don't know how much they spend on this service, so I can't say what the change would be. I think you would need Social Services to answer that.

LEG. FOLEY:

There may be an impact -- through the Chair, there may be an impact but we're also, Legislator Crecca, through our own devices and through the adopted 2001 one budget, we're intending to raise the salaries for a variety of RN's and LPN's and so this is, if you will, let's say consistent with that. But at the same time, even though we're asking the State to do this and it may have an impact on the local Medicaid share, I don't think that should prevent us from requesting the State to move ahead with this kind of raise.

CHAIRPERSON FIELDS:

There's also -- may I interrupt -- a letter that should be part of your resolution dated September 19th and sent by Judy Record who is from the Suffolk County Handicapped Advisory Board, and it really

gives you a good background of what the problems are and why this is a rather important message that we should send. I made a motion to approve.

LEG. FOLEY:

Second the motion.

CHAIRPERSON FIELDS:

Seconded by Legislator Foley. All in favor? Opposed? Approved (Vote: 5-0-0-0).

Sense 148-2000 - Memorializing Resolution requesting the State of New York to uniformly make the torture of animals a felony (Cooper).

LEG. CARACAPPA:

On the motion. On the motion.

CHAIRPERSON FIELDS:

Legislator Caracappa.

LEG. FOLEY:

There was a motion to approve, wasn't there?

LEG. CARACAPPA:

No, there wasn't a motion to approve yet, I'm sure there will be. Just a question to counsel. What constitutes torture and to what animal; are we talking about any animal? Is the beheading of a chicken, poultry, turkey, is that torture, is the killing of a cow torture to produce beef? I want to know first what we're -- is this just domestic animals?

MR. SABATINO:

No, this calls for an amendment to existing State law. Existing State Law, which is the New York State Agricultural and Markets Law, has a whole series of categories, it applies to all kinds of animals. Currently, on the torture element it's a misdemeanor, this would just ask the State Legislature to change the misdemeanor penalty to a felony penalty, so it's not opening up a new series of categories. But there's all kinds of things, there's -- it's defined in State Law as causing extreme physical pain to an animal, sadistic behavior, depraved, there are other sections which talk about, you know, violence and abuse. But the point is that it's currently a misdemeanor, it's all defined under State Law, this would make it a felony instead.

LEG. CARACCILOLO:

On the resolution.

LEG. CARACAPPA:

Well, if I can just finish. I know that's a whacky question I had and a little comical, but I think it's important for us to know.

MR. SABATINO:

No, I agree. To be honest with you, I had to go look in the statutes the first time around because I wasn't sure. I mean, I knew there was something out there in the State Statute, I didn't know how far it

went. I was surprised that it was a misdemeanor to tell you the truth, I didn't think that the State Legislature had gone that far. I learned something when I did the research.

LEG. CARACAPPA:

And you don't have the guidelines as to what animals it pertains to? Is it just domesticated animals.

MR. SABATINO:

No, it was both, it was farm animals, it was domestic. But there's about five or six different sections, each section picks up a different category, but it was the universe of animals.

LEG. CARACCIOLO:

Commissioner, within the universe of Suffolk County, do we have much occasion where we have reports of animals being tortured?

COMMISSIONER BRADLEY:

The only thing we get is sometimes we get individual complaints about how animals are being treated in, you know, the stores.

LEG. CARACCIOLO:

The animal shelters which are government run.

COMMISSIONER BRADLEY:

The animal shelters.

LEG. CARACAPPA:

Pet stores.

COMMISSIONER BRADLEY:

Not so much the shelters, but pet stores.

MR. SABATINO:

Also, the District Attorney's Office -- in fairness, it wouldn't be the Health Commissioner.

COMMISSIONER BRADLEY:

Yes.

MR. SABATINO:

A couple of years ago there were a couple of major -- I don't know if you call them sting operations or what, but these people in their homes, in their houses were actually torturing significant numbers of, as Legislator Caracappa indicated, you know, domestic animals. But it's not -- I mean, it wouldn't be the Health commissioner that would be checking out that aspect, but the District Attorney's -- well, actually with the help of the Society for the Prevention of Cruelty to Animals. There were a couple of major events in the last few years.

CHAIRPERSON FIELDS:

I believe there were also some films that were made and sold on Long Island locally and they were actually filming the torture of some of these animals. So I think --

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LEG. CRECCA:

I heard about that, too.

LEG. CARACCILOLO:

I just question whether or not, you know, there is a problem here and, you know, what's the impetus for this resolution. It's only a Sense Resolution, it doesn't carry much weight, and probably nothing more than receipt in Albany will be done with it. But I just question, maybe I would like to suggest that we table it and have the DA come in and see if there is a problem that needs to be addressed to --

LEG. CRECCA:

Motion to table.

LEG. CARACCILOLO:

-- you know, increase the penalty. Second.

CHAIRPERSON FIELDS:

All in favor? Opposed? Motion to table approved (Vote: 5-0-0-0).

CHAIRPERSON FIELDS:

Okay. Going back to the Vector Control Plan.

LEG. CARACAPPA:

Madam Chair, thank you for your indulgence on the agenda.

LEG. CRECCA:

Thank you. I do have to go, I apologize.

LEG. FOLEY:

Madam Chair, I have several questions on the first half of the report.

CHAIRPERSON FIELDS:

Okay.

LEG. FOLEY:

I know you're going to move into the second half of the report.

CHAIRPERSON FIELDS:

Uh-huh.

LEG. FOLEY:

If I could just ask several questions from the first half.

CHAIRPERSON FIELDS:

Go ahead.

LEG. FOLEY:

Okay, thank you. Dominick, if you could turn to page three under the heading of Mosquito Problem and Control: An Overview, the third page. Again, on the issue of Altosid in middle paragraph, and also the pellets, nowhere in writing -- nowhere in the written plan here, and it's something that you and I have discussed over several years -- and I'm glad that there's a representative from DEC -- where we talked about the briquettes, using the briquettes or pellets in catch basins. And the issue that you've brought up in the past is that for a series

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of years you were waiting for DEC permission to place these briquettes and pellets in catch basins and then there became an issue of whether the basin was an enclosed basin or one that led with a pipe into a tributary or into a stream that would then lead into an open body, a

larger body of water.

So my question to you is, number one, I don't see anywhere written in the report here of how your division is working with the different townships to receive the different blueprints, if you will, of what catch basins are on what town roads or village roads that lead to the wetland areas or the areas of the County that are known breeding grounds and for purposes of my district, you know, southern Brookhaven Town.

So my first question is why can't you have, at least as an appendix to this particular plan, how and where towns have been cooperative or uncooperative when it comes to using the pellets within catch basins, that's the first part of the question. The second part, and after you respond to it I'd like to hear from DEC, is this issue of the delayed -- of the permission granted or withheld by the DEC with the use of these pellets in the catch basin areas.

MR. NINIVAGGI:

Well, maybe I could probably answer the second question first. I'm happy to report that I think as far as catch basins go, I think we came to a very workable understanding of where these materials can be used. And in fact, the State did agree that if you put a catch -- if you put a briquette into a catch basin you're not putting it in fish habitat, you know, even if that catch basin does have an outlet. So I'm very happy with the level of cooperation we've received there which I should point out is the general tone of our relationship with DEC, despite what this may appear at times.

LEG. FOLEY:

Now, is that for -- for what kind of level, 30 days, 90 days?

MR. NINIVAGGI:

For the 150 day also.

LEG. FOLEY:

All right. So with that said, because that's not -- there's a lot that's written into the plan, but that's not never explicitly stated in the plan that there is that kind of permission from the DEC. With that said, what I'd like to see if not today, certainly it would be helpful within two weeks time, or at least before, you know, you start the season in earnest, where -- with this approved from DEC, where do you intend to move forward expeditiously to place those briquettes, in which basins, along which roadways, along which areas of the County?

MR. NINIVAGGI:

Well, the 150 day briquette is --

LEG. FOLEY:

I don't need an answer right now, but what I'd like to have from you is something in writing, some geographic locations. And obviously when you mention here -- and I'll be parochial for a moment -- that

one of the most heavily infested areas is the Great South Bay area which includes my district, I would like to see particularly in the 7th District how and where you intend to place these briquettes.

MR. NINIVAGGI:

As it happened, that was one of the first places that we did put those briquettes once we got permission this summer.

LEG. FOLEY:

Very good.

MR. NINIVAGGI:

And generally what we find is that those 150 day briquettes are appropriate for when the catch basin is full of water all the time.

LEG. FOLEY:

Right.

MR. NINIVAGGI:

Which tends to be the area south of Montauk Highway, all along the south shore.

LEG. FOLEY:

All along the south shore, right. So it would just be helpful for you to --

MR. NINIVAGGI:

Yeah.

LEG. FOLEY:

Okay? Now, could DEC chime in on this particular aspect?

MS. GRAULICH:

This is a difficult one for me to chime in on because it's mostly a



fresh water consideration and I deal with marine habitat mostly.

LEG. FOLEY:

Oh, okay.

MS. GRAULICH:

We did have some discussion about this and the possibility of this washing out into the tidal wetlands, and what it is is a balanced approach trying to allow Dominick to have an effective program.

LEG. FOLEY:

Especially if it's in what I call an enclosed --

MS. GRAULICH:

Yeah.

LEG. FOLEY:

You know what I'm saying ?

MS. GRAULICH:

Well, that isn't even an issue for us if it's enclosed. It's any time where there's the possibility of over wash or out flow.

LEG. FOLEY:

Okay. If we could turn to -- okay, under the heading of -- well --

CHAIRPERSON FIELDS:

What page?

LEG. FOLEY:

The problem is these pages aren't number.

COMMISSIONER BRADLEY:

At the top.

LEG. FOLEY:

Under Program Components, under Program Components, Water Management.

COMMISSIONER BRADLEY:

Brian, at the top of the page there's --

LEG. FOLEY:

Yeah, the top page of the program?

COMMISSIONER BRADLEY:

And what number, what page? See, it's right in the middle of --

MR. NINIVAGGI:

Page eight.

LEG. FOLEY:

Oh, eight, right. Okay.

CHAIRPERSON FIELDS:

Wait, we didn't get that far.

LEG. FOLEY:

Oh, we haven't gotten to page eight?

LEG. CARACCILOLO:

You were on seven.

LEG. FOLEY:

We're on seven.

CHAIRPERSON FIELDS:

We're on page seven now.

LEG. FOLEY:

Okay. I'll defer to the Chair and ask my questions when you're finished with page eight.

CHAIRPERSON FIELDS:

Okay. On page seven, I think we finished, actually, page seven, so now we'll begin at the top or we'll begin on page eight. And I'll go -- did you have --

LEG. FOLEY:

I'll defer to the Chair and I'll ask my questions after.

CHAIRPERSON FIELDS:

Standard Water Management, around the middle of the page, "It consists of constructing and maintaining ditch systems, reservoirs, pipelines and tied control devices." Go ahead, Karen.

MS. GRAULICH:

Okay. This is in regard to the standard water management that is performed under permit and in cooperation with New York State. Vector Control does have a general permit where it's allowed to do -- create new ditches and do substantial restoration to ditches that are filling in as well as to replace culverts and create new culverts. And over the last year we received two requests to replace culverts and then the beginning of November or October, we had one ditch project. So we were wondering how these numbers relate to the work that we have on record as being conducted which is much lower levels.

MR. NINIVAGGI:

Okay. Well, much of our work is maintenance work which, you know, as has been discussed many times, generally under the State Wetlands Law is called MPN, it doesn't require a permit. There -- you know, we have had some give and take as to what exactly constitutes no permit necessary maintenance. I think one of the things that we've done this year is we've tried to keep DEC, you know, more informed as to exactly when our equipment is working so we can avoid any kind of misunderstandings and if it's decided that a permit is needed we can go ahead and get that.

Most of the work is this maintenance type work, and that won't necessarily show up in permits because, again, a permit isn't required. And again, there has been some disagreement in that respect, but I think that we're on the same page now in terms of -- for instance, we had work that we needed to do over in West Sayville near the County golf course and we did have DEC inspectors come out and look at the project and work with us to decide whether it's truly a maintenance job or whether it needed a permit. So I think that we're getting that cooperation going very well .

MS. GRAULICH:

Yeah, I would have to agree that we're improving on this. I guess my question is is this essentially the same levels as -- are you producing the same levels of work as in the past?

MR. NINIVAGGI:

Well, we have been increasing it over the last few years as we've acquired some new and more productive equipment, and we are -- have

some equipment actually on order which should arrive hopefully by the end of the month that would allow us, too, to step up this work further. So we are optimistic that we'll have the capability to get to this level of work in the next year or so. And again, it's very important to us because, you know, we want to do as much of our control in terms of water management as we can.

CHAIRPERSON FIELDS:

Legislator Foley has a question, but I want to go back to page seven. Someone asked me about the last paragraph, second to the last

sentence, "Broad spectrum, adult control materials will be used in a target -- targeted manner and as a last resort." And, you know, again, my responses to a lot of these questions are from people who know that I'm the Health Chairperson and have written or called or e-mailed or spoken to me in person about certain things that Vector Control does. But what everyone has asked me in those parts of the population is what does last resort mean?

MR. NINIVAGGI:

Last resort means basically that you have an infestation of mosquitoes, adult mosquitoes that is either constituting a public health threat because we've detected virus in the area or because it's reached a level of biting nuisance that the people in the area find intolerable. And what we -- we try with our various preventive techniques to avoid getting to that point, but despite our best efforts there are going to be times when the mosquitoes are going to get out of the wetland and they are going to be a problem.

CHAIRPERSON FIELDS:

Did we get passed B; which section are we on this page eight?

LEG. FOLEY:

We didn't do Open Marsh Management.

CHAIRPERSON FIELDS:

Open Marsh Water Management, "The division has instituted a more advanced form known as OMWM." Karen, I think you had a couple of questions on that one, or one question on that one.

MS. GRAULICH:

Yes. In a recent meeting we had with Ducks Unlimited as part of the partnership, Vector Control indicated that the Open Marsh Water Management had not been effective in reducing any of the spraying and that some of the projects needed to be re-evaluated. Instead of doing additional projects, I'm wondering what kind of re-evaluation is going to occur and what kind of monitoring to see if any of these projects have been effective in reducing spraying?

MR. NINIVAGGI:

Okay. Well, we discussed that at the last Long Island Initiative Meeting, unfortunately DEC was not available for that particular meeting. We -- what we're finding is that while I will not say that Open Marsh Water Management has not been effective, I would say that we can do still better than what we've done. And I think that some of the projects we have to look back and see if there are areas that we're missing, you know, the -- this technique is based on getting the fish into all the areas where the mosquitoes breed and there might be some cases in some of these projects where we need to go back and dig some little channels, shallow ditches to get the fish into all the little places; which is totally unsurprising, that the first time you go to the marsh you're going to miss some places and you need to go back. But we are planning on revisiting projects that have been done to ensure that -- we would like to get to the point where we can virtually eliminate treatment in those marshes.

I think that also the way we do the technique herein Suffolk County does not include the full range of wetlands alterations that are done elsewhere where the technique has been even more successful. We generally will not excavate ponds and other fish habitat areas like that, we generally try to minimize the alterations. I think that there are some cases where we need to go a little further in these projects than we've gone in the past. But I think that's part of the normal development of a technique in a different environment like we have here in Suffolk County compared to areas in Massachusetts or New Jersey and Delaware. In Delaware in some cases they've been able to

completely stop treatments of the marches after Open Marsh Water Management, but their situation is somewhat different.

CHAIRPERSON FIELDS:

Let me interrupt. They've been completely able to stop what?

MR. NINIVAGGI:

Treatment for larval control.

CHAIRPERSON FIELDS:

Pesticide management you're talking.

MR. NINIVAGGI:

Yeah, yeah.

CHAIRPERSON FIELDS:

Okay.

LEG. FOLEY:

How are we applying that to -- how could we apply that success to this County?

MR. NINIVAGGI:

Well, I think that we need to look at providing more fish habitat.

LEG. FOLEY:

Is that what they did in -- was this Massachusetts, Madam Chair?

MR. NINIVAGGI:

Delaware, Delaware, New Jersey.

LEG. FOLEY:

Do you have a copy of the their plan for Open Marsh Management?

MR. NINIVAGGI:

I don't have a copy handy, but I could probably --

LEG. FOLEY:

But you do have one.

MR. NINIVAGGI:

Yeah.

LEG. FOLEY:

And have you made a comparison between there and here and exactly what -- and if you're not ready to answer today, please be ready by the

next meeting -- exactly what do they do in those coastal areas that we could replicate here?

CHAIRPERSON FIELDS:

And let me ask you another question.

MR. NINIVAGGI:

I have visited many of these.

CHAIRPERSON FIELDS:

How long have they been doing their plan? We have not been doing that --

MR. NINIVAGGI:

New Jersey has been doing this for about 20, 25 years at this point. Massachusetts --

CHAIRPERSON FIELDS:

And how long have we been doing that?

MR. NINIVAGGI:

The initial pilot projects were in the middle 1980's, so we're about 15 years into this. Our marshes a little different than some of these other areas.

LEG. FOLEY:

Sure.

MR. NINIVAGGI:

But I have actually -- for instance, in New Jersey, Ocean County has similar conditions and I've gone to visit some of their projects as they've gone on, so we try to keep up with the latest techniques. And as a matter of fact, next week I'll be visiting some projects in the Rhode Island area as part of the mosquito control meeting I'll be going to.

CHAIRPERSON FIELDS:

So maybe by the next meeting we could have some kind of response on how you feel that that program has evolved and the positives of it so that it might satisfy DEC more.

LEG. FOLEY:

What have they done in other states, other coastal areas that has caused, as i said, next to no need for pesticide applications, and whether or not that approach can be applied here.

CHAIRPERSON FIELDS:

Karen?

MS. GRAULICH:

Okay. I guess -- the following comment was on the fact that these projects will be accelerating in the division. Until we see some evidence of some successes in the projects that already exist, we probably would not permit accelerating to new areas.

LEG. FOLEY:

Where is that? That's not in --

MS. GRAULICH:

That's in the following -- it's the second paragraph of

CHAIRPERSON FIELDS:

"The practice of converting these areas to OMWM is accelerating as the division builds partnerships with natural resource agencies and conservation groups."

LEG. FOLEY:

Uh-huh, I see it.

CHAIRPERSON FIELDS:

You may have some response to that in the next meeting also if we can show the positives of it. At the I guess bottom of that paragraph, there was a question about the monitoring.

MS. GRAULICH:

I believe the question is what kind of monitoring do you to do to determine whether or not you consider the project effective?



MR. NINIVAGGI:

Okay. All of our major salt marshes are monitored on a weekly basis for mosquito populations. In the case of the National Wildlife Refuges, the federal personnel, they're actually monitoring the marshes for mosquito breeding and the other things that they're interested in in terms of natural resources.

LEG. FOLEY:

Just as a follow-up, you mention in that paragraph there's a need for additional expertise, "permit paperwork means that this technique will take time." What additional expertise do you mean -- do you need, and if you could roll that into what they've done in other jurisdictions to successfully reduce the need for chemical or biological intervention?

MR. NINIVAGGI:

Well, actually what I meant by additional expertise is more -- getting more people with a sufficient level of training to help design these projects; it's more quantity than quality. I think that in general we know what we need to do based on pilot projects that have been done, but there is still a shortage of trained people in these things to do these kinds of work. One of the things that I have done is our Marsh Biologist is now working on these things and we've recently hired some staff to help him to free him up to do more design work on these sorts of things.

LEG. FOLEY:

Madam Chair, I'd like to go back to Standard Water Management for a moment.

CHAIRPERSON FIELDS:

Which section?

LEG. FOLEY:

Page eight, letter A.

CHAIRPERSON FIELDS:

Page eight, okay.

LEG. FOLEY:

Yeah, just to the top. Dominic, you mentioned earlier about this additional thousand --

CHAIRPERSON FIELDS:

Can I interrupt? Maybe next time we have a meeting we could have some representatives also from the Long Island Initiative come respond to that also and, you know -- go ahead, I'm sorry, I interrupted.

LEG. FOLEY:

All right. You talked about getting back to the William Floyd Estate, is it the {Wordhime Refuge} where there's a thousand --

CHAIRPERSON FIELDS:

I think that's pronounced Wertheim.

LEG. FOLEY:

{Wordhime}, Wertheim.

LEG. CARACAPPA:

William Floyd.

MR. NINIVAGGI:

William Floyd Estate.

LEG. FOLEY:

William Floyd, okay. I understand that the additional footage that was trenched, did it release DDT into the local environment?

MR. NINIVAGGI:

We did some sampling there to see if that happened and it doesn't appear that there was any adverse effect.

LEG. FOLEY:

Okay.

MR. NINIVAGGI:

Yeah, that was one of our concerns when we realized what happened and we did take samples and had them looked into.

LEG. FOLEY:

Did it cause any other kind of problems that the DEC is concerned about that should be brought to our committee's attention?

MS. GRAULICH:

That was the principal concern at that point. The additional concern

of the park people there was that it went through their control area. They were doing monitoring of a control area and monitoring of the project and apparently that ditch affected their monitoring of the control area.

LEG. FOLEY:

Okay. Dominion, what -- do you see the need to change the way that your staff or your supervisors supervise the trenching operations? What have you put in place to prevent that similar event from happening in the future ?

MR. NINIVAGGI:

Well, we're going to be making sure that the operators of some of our equipment does have the map available, that they know exactly where they're supposed to be and not supposed to be. You know, again, this was a lapse. The foreman just happened to be going off someplace else, the crew operating the machine, you know, made a mistake and I think that we can just try to supervise a little better.

LEG. FOLEY:

With the additional staff that we've given you over the past several years, we've given you not only field laborers if you will, but we have given you others who can supervise these folks; correct?

MR. NINIVAGGI:

Yeah. And our bio just was out there for part of the time, there was also a National Park Service Biologist out there during that project. Unfortunately this happened during one of the small periods of time that there was no professional staff on site and, you know, it's an unfortunate error that occurred.

LEG. FOLEY:

Just one last question, Madam Chair, for today for Water Management. If you have and the way that you approach mosquito control, larval control, adulticide, if you have wetlands that are formally connected, that there's a -- let's say there's a beach barrier between the beach and the bay, how is that different than wetlands where there's either, let's say, a direct connection between the wetlands and there's a cut through the beach and it goes into the bay, how are those two

different -- how are those two different land masses, if you will, treated with the way that you go about putting larvicide and insecticide, spraying; how do you differentiate between the two?

MR. NINIVAGGI:

Well, as far as the larvicide treatments themselves, there isn't much difference, you're monitoring both, you're treating them if they're necessary.

LEG. FOLEY:

Okay.

MR. NINIVAGGI:

In terms of water management, what we would like to do whenever possible if the tidal flow is restricted, we would like to reduce or eliminate that restriction, and I think that's good from a mosquito control point of view.

LEG. FOLEY:

If you get to the point where you have to spray, are there more restrictions in spraying in an area where there is a direct connection

between the bay and the wetland areas, are there less restrictions if it's formally connected wetlands?

MR. NINIVAGGI:

No, no, there was no regulatory difference on that, they're treated similarly.

LEG. FOLEY:

Okay. What happens if there's people who are, you know, swimming or bathing, if you will, water bathing, swimming in a particular cove where there are wetlands on the north side of the beach and there is a small connection between the wetlands and the bay, would that be another concern in how you'd go about spraying that particular area?

MR. NINIVAGGI:

Well, one of the things that we do if it's an area where there's a lot

of houses nearby and there are a lot of people in the area, if it's a small area we'll go by ground treatment, if we need to use the helicopter we'll generally do those early in the morning.

LEG. FOLEY:

Okay.

MR. NINIVAGGI:

We try to do those so we can avoid people by going at a time when relatively few people are out, so we try to accommodate those sorts of things. And needless to say, if a pilot comes to a marsh and there are people out there, you know, he's not going to bomb down on them and spray them. When you're doing larval control --

LEG. FOLEY:

No, not so much that. What I'm talking about, if they spray at dusk -- and this is not an official municipal beach but it's a strand of beach that people in a given area they may just go down to swim or to walk through, is there a concern that if you spray at dusk or at dawn and then some hours later they go with the children in that given area, is there a concern about what may be in the water, in the surface water of the bay because there's a connection between that cove and the wetlands behind the beach.

MR. NINIVAGGI:

Well, we treat the marsh itself at a very low level to avoid drift. There's no --

LEG. FOLEY:

I'm not talking about drift, I'm talking about -- once you --

MR. NINIVAGGI:

There's no human health concern with these sorts of materials from the runoff going into the bay. These are insect growth regulators or bacterial products, and for all practical purposes they're not toxic to people so there's not a human health issue.

LEG. FOLEY:

For any of these.

MR. NINIVAGGI:

Not for the larvicides, no.

LEG. FOLEY:

Well, what about -- well, okay, maybe I'll have to ask a few more questions. What about if you have to spray in that given area?

MR. NINIVAGGI:

For adult mosquitoes?

LEG. FOLEY:

Yeah .

MR. NINIVAGGI:

Well, again, what we try to do is to get the word out to people, if there are people, for instance -- and when we're treating by a truck, you know, if there are people on the street --

LEG. FOLEY:

I'm not talking about a truck, I'm talking about if when you go -- there are times when you do go into marshland areas and do aerial spraying; is that not correct?

MR. NINIVAGGI:

Well, aerial spraying for mosquito larvae, yes. We don't spray for adult mosquitoes by air in wetlands.

LEG. FOLEY:

All right. So only for the larval.

MR. NINIVAGGI:

Yeah.

LEG. FOLEY:

So when you do the larval helicopter spraying, there isn't a concern for, let's say, later on in the day for families with their children walking on the beach, they decide to go in the water right near where the wetlands were sprayed, there's not an issue there ?

MR. NINIVAGGI:

No.

LEG. FOLEY:

Okay.

CHAIRPERSON FIELDS:

On that note, I was approached by several people who are Fire Island visitors and residents, and one of the problems that they have is a great proportion of visitors to Fire Island -- and this is, I think directed at Dr. Bradley also -- live in the city, and we have a great notification plan, that's been wonderful for all of us. Is there a way maybe that we can figure out how to -- a couple of them said to me, "I came out on Friday, you know, afternoon or evening on the ferry and as I was walking with all of my boxes to my home, the -- you know, they went by and sprayed me." And the notification is to tell people to put things inside and to go inside and these people had no idea

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that they were going to be sprayed. Is there -- what could possibly be done to --

COMMISSIONER BRADLEY:

Well, one is just to let them know that there is a hotline. I mean, it puts the onus more on them to call on a regular basis because Public Works updates the hotline to let people know where the spraying is going to occur. Legislator Postal actually asked me a similar thing and said something about the railroad, when we do spray notifications could the railroad post something? So I just signed a letter the other day to the railroad asking them that if we send them the notices would they be willing to put them up in the stations so people could see them, and we're letting people know where they are. I mean, the other is --

CHAIRPERSON FIELDS:

I'm not sure that that -- you know, in other words, if I'm someone living in the city, I'm going to jump from my job or my home, get on a train, not going to really look at the station, going to jump on the train.

COMMISSIONER BRADLEY:

Right.

CHAIRPERSON FIELDS:

I'm going to get off at the strain station, but I'm also not going to be in the station, I'm going to run to the cab or pick up --

COMMISSIONER BRADLEY:

Right. I mean, one is the hotline or the website; I mean, those are updated on a regular basis.

CHAIRPERSON FIELDS:

Maybe, you know, I don't know, notices in the Fire Island communities for those residents, posters that say, "To be notified as to the date and the time of an aerial spraying, this is our hotline number"?

MR. NINIVAGGI:

Well, one of the things is that for spraying for adult mosquitoes, we normally don't do it on a Friday in Fire Island because of the problem you said, you've got all these people running around the board walks.

CHAIRPERSON FIELDS:

Right.

MR. NINIVAGGI:

Fire Island communities are generally treated with the guys having to go across on a ferry, so we work with the communities and they post a notice at the ferry dock the day before.

CHAIRPERSON FIELDS:

That's -- okay, or even in the ferry, that would be a good idea, too.

MR. NINIVAGGI:

We do, at both ends of the ferry we post notices there.

CHAIRPERSON FIELDS:

Okay.

MR. NINIVAGGI:

And this is done -- this is beyond what we're legally required to do, but in cooperation with these communities we will do this.

CHAIRPERSON FIELDS:

No, I know. But I just think if I were one of those people I'd be upset, too, so I think it would be a good thing to do.



MR. NINIVAGGI:

And we're doing it.

CHAIRPERSON FIELDS:

Yeah, good. Thanks. We're up to the bottom or down to the bottom of page eight, "The heavy equipment crew splits its time between helicopter applications and maintaining pipelines"; Karen?

MS. GRAULICH:

The question was just what do you mean maintaining pipe lines, what is that?

MR. NINIVAGGI:

Well, there are a lot of culvert-type pipes that, you know, run under roads or a few berms that provide tidal flow or drainage. And one of the things that the heavy equipment crew will do is that if one of those is blocked, they'll clear the blockage if it can't be done by hand. We have a pipe cleaner which is basically a water jet device that can clean out a pipe and unstop it, allow the water to flow. This can be important not only in terms of mosquito control, but there are a lot of low lying communities where if those pipes get clogged up people's backyards start to flood. So that's one of the things we do in the summer, we keep an eye on those.

MS. GRAULICH:

Some of the concerns we get from people who call to complain about the culverts and the ditch work are their concerns regarding the degradation of the water quality, that also impacts why -- whether or not we'll allow maintenance on the State lands. Is there anything you can do to help ensure the people about the water quality? A lot of these areas are shellfish areas.

MR. NINIVAGGI:

I think we're maintaining existing systems here. I don't think that -- we can't -- as far as the culverts and so forth, we don't want to let them back up within the marsh, then the marsh can lose its water quality. I don't think that the maintenance has that much of an effect on water quality one way or the other, because basically all we're trying to do is maintain the status quo.

MS. GRAULICH:

Some of these things haven't been maintained in 20 years and they haven't been functional at the time, and that's why we received a complaint, there's something that's not functional and suddenly it's draining water off.

MR. NINIVAGGI:

I know that we had an issue out in Pipe's Neck Cove out in Southold where we hadn't cleaned out ditches for a while. We had a severe mosquito problem that required a lot of pesticide use, so in the following winter we did send a crew to clean out those ditches and the town did express some concerns. I called the DEC Office of Shellfisheries and they did some sampling to see --they were concerned about the release of coliform bacterior, and they did some sampling and they found that there wasn't a problem, ther was -- I guess some fellow had a pipe connected to the marsh and, you know, that might have been a source, but the ditch maintenance operation itself did not seem to be a problem to them. But certainly when that issue was raised to us, I did call DEC Shellfisheries and asked them to have a look and tell me if there's anything we need to do. You know, do we need to -- if we need to go back and stop up the ditches we can do that sort of thing. So we try to address these issues as they come up.

CHAIRPERSON FIELDS:

Page nine A, we're talking about Gambusia and it says, "This technique is very labor intensive and is suitable for only a few sites. It can, however, provide long-term control"; Karen?

MS. GRAULICH:

The question is just where is this used?

MR. NINIVAGGI:

Primarily it's used in the recharge basins, so-called sumps, other artificial bodies of water like that. In general, natural bodies of water don't already have fish in them, so generally you don't feed to stock them. And if it's a natural body of water that doesn't have fish, very often you don't want to stock it because it could impact some of the amphibians. So this is primarily artificial bodies of water like that, especially these recharge areas.

CHAIRPERSON FIELDS:

Do you have an idea of how many ponds that you stock?

MR. NINIVAGGI:

I know the lab has been handling most of this and Dr. Campbell may be some numbers.

DR. CAMPBELL:

Yeah, we have a DEC Stocking Permit for Gambusia, so the locations for stocking are outlined and they are contained bodies of water. Generally, they're people's ornamental ponds, sumps, things like that; and we do keep a record of where we stock.

This year we were so busy with West Nile, the interns that we hired to do the Gambusia were busy with the mosquito aspect identification and separation, so we didn't stock this year as much as we have in the past, but on a typical year we'll stock several dozen locations in the County.

CHAIRPERSON FIELDS:

Will you be able to bring that number back up next year?

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DR. CAMPBELL:

Yes. We've hired additional staff to take that task away from the interns who are good at the Gambusia Stocking Program.

CHAIRPERSON FIELDS:

Okay.

DR. CAMPBELL:

So next year we'll be able to address the stocking much better.

CHAIRPERSON FIELDS:

Okay, thanks. B, we're talking about BTI, "It's important to use BTI in the salt marsh when possible in order to limit the ability of larvae to develop a resistance to Methoprene": Karen a question on this one. And I think it relates also to paragraph C.

MS. GRAULICH:

Yeah. One of the concerns is that we are encouraging the use of BTI, and in the following paragraph they're talking about expanding the use of Altosid or Methoprene instead which is discouraging to us. So we would like to know what you're doing to increase the use of BTI and when is it a problem for you to use it and is there anything that you

can do to correct that?

MR. NINIVAGGI:

Well, one of the things that we found with BTI, particularly in the salt marsh, is that the stage of development of the larvae and the timing of the application are extremely critical. And we have found that we've been able to improve our success with that product if we're very careful about exactly how we apply it. The other bacterial -- you know, BTI is something that we've been expanding the use of, particularly in the salt marsh. But I think even more so we'll probably be expanding the *Bacillus Sphaericus* use which is further down there because it has -- it seems to be very effective in many of the same situations that BTI is, plus BTI only kills for about 24-hours and then it's gone, while under proper conditions *Bacillus Sphaericus* will maintain itself in the environment and continue to control the larvae for several weeks. So we see more of an opportunity to expand the use of Vectox or *Sphaericus* in some ways and we're using BTI in most of the places where it's suitable.

A lot of our expansion of Altosid is going to be in these things like catch basins and roadside ditches, you know, those sorts of areas where the long-term briquettes are appropriate. You know, they're rather expensive so it's not something that you want to -- you know, there's always going to be some limit on that just because they are rather expensive. But I think that we are trying our best to use these biologicals in the areas where they're appropriate and to expand their use, but we always have to keep in mind that if we let a brood of mosquitoes get away then we find ourselves having to do more adulticiding which is the thing that we've all agreed we want to minimize.

CHAIRPERSON FIELDS:

Karen, between B and C, you mentioned that there was a conflict?

MS. GRAULICH:

Yeah. The intention to expand the use of Altosid and also expand the use of the bacteria, we're looking towards the bacterial agents as more of a solution. Our concern is also that there is request here or

an indication that permission will be sought to further expand the use of the sustained release Altosid which is the form of Altosid which is the biggest problem for or the invertebrates in the marine and estuary environment. So we're not sure that that's a reasonable thing to be looking to, we'd prefer to see them looking more to the bacterial agents.

MR. NINIVAGGI:

Well, yeah, I think that there's an important place for these products, especially more in the artificial type environments. And, you know, I think that in some ways we've got most of the permissions that we've wanted on these products, so there might not be -- I don't expect a big change in sort of permit conditions, for instance, that we're going to be looking for these products in this coming year. And again, one of the things is that when you put a 150 day or 30 day Altosid briquette or pellet in an area, because it's a chemical type action, it's more predictable when it's going to work. With the bacterial products, because you're dealing with a live organism, it's inherently a little less predictable as to how long you're going to get the controls. So while we very much like Vectolex and plan to expand its use, it is a little bit more difficult material to work with because it is a living organism.

MS. GRAULICH:

We'd just like to say we know it's more difficult and requires more monitoring, but we think that the decrease in risk is worth it.

CHAIRPERSON FIELDS:

And I think that on D, "There will be an increasing roll for this product," and they're talking about Vectolex, "against West Nile Virus because it is particularly effective against Culex." But the comment that Chuck made to me was how will this be done? As soon as we find West Nile Virus we go to aerial spraying. So making the comment that we're going to use that but then once we find it we don't use it, we use aerial spraying.

MR. NINIVAGGI:

Well, I think that he's confusing the direct responsive control or reactive control when you find adult mosquitoes with the virus versus the preventative activity which happens long before you've detected the virus. And the -- anything you do against mosquito larvae happens, you know, long before you've actually detected virus in adult mosquitoes, but once you've detected virus in adult mosquitoes, larval control doesn't address that situation. Now, if it's July or August and there's a long time in the mosquito breeding season, yes, you want to larvicide in addition to adulticiding. But there's the -- there's the preventative response to West Nile Virus which is the increasing use of catch basin treatments and Vectolex, and then there's the

reactive response which generally involves the use of adulticides.

MS. GRAULICH:

I think part of his question was also with Culex. So much of the

breeding area is outside of what you normally control; is this going to include any encouragement of private use for people to be using this sort of material in their yards or anything like that?

MR. NINIVAGGI:

Well, there is a consumer BTI product, Mosquito Dunk, which as part of the educational program we've generally encouraged people to use. It's a very limited use product, it can be used in bird baths, things like that, you can't use it in a natural area. What we really want people to do with their yards is to get rid of the water. I mean, if you can't get rid of the water, you go to BTI or some other kind of treatment, but ideally what we want people to do with their yards is to clean out their gutters, overturn their bird baths, whatever they need to do to get rid of the water in the first place.

There are very limited things that a homeowner can do for larval mosquitoes, because anything -- any pesticide that goes in the water is the most strictly regulated by the State, with good reason.

CHAIRPERSON FIELDS:

Page ten, we're talking -- we're finishing page nine where it says, "The remaining natural areas and the 100,000 plus artificial breeding sites will be controlled on a complaint basis as resources permit." And he asks what number will be done and estimate?

MR. NINIVAGGI:

Wait a second; what page do we have here?

MS. GRAULICH:

Top of ten, bottom of nine.

CHAIRPERSON FIELDS:

Right before Roman Numeral III.

MR. NINIVAGGI:

There we go. Okay, we have what's called larval control crews. They basically have areas that we know are problem breeding areas and they run a route, they run from one to the next, see if they're breeding, if so we treat them. And that's -- when you're talking about that fifteen hundred or so, those are the known substantial problem areas, and we actually will be expanding this a bit because with the additional resources we have additional crews.

Other natural areas, they might not be on our list to visit regularly because they might not be a problem very often. And when you're talking about the hundred thousand or so artificial breeding sites, you're talking about all the miscellaneous tire piles and buckets and catch basins and all these other things throughout the County that most of the time they might not even be a problem at all and it might not be worth visiting them on a regular basis, but one might crop up and we'll see a rash of complaints in an area. So we -- I think that inevitably you have to concentrate your resources on the areas that are known and have a long history of having a problem and treat the others as they develop.

CHAIRPERSON FIELDS:

I think over on page 11, the top starts with, "A, Water Management: In addition to OMWM projects, the division expects to conduct standard water management in each of the County's ten towns." Karen, I think you had some questions also on this one.

MS. GRAULICH:

We'd like these projects more specifically detailed.

CHAIRPERSON FIELDS:

And, "The State DEC has been limiting the maintenance of ditch systems on tidal wetlands under State ownership. Because substantial acreage are under DEC ownership, this may limit the effectiveness of this program." I guess before that they're looking for what criteria when you talk about, "highest priority is assigned to wetlands that produce infestations having the greatest potential for negative impact"; so

he's looking for what criteria do you use to --

MR. NINIVAGGI:

Well, those tend to be the major breeding salt marshes that tend to be in the highly populated areas, particularly, again, south of Montauk Highway from roughly Robert Moses Causeway on east; those are the areas that over a long period of time have been shown to cause a lot of the main mosquito problems. And so it's a mixture of areas that produce a lot of mosquitoes and where there are a lot of people to be bitten. You know, for instance, there is a lot of mosquito breeding going on in the Manorville area in Calverton, but there are very few people living in that area, we generally don't do a lot of control there. But in an area say like Oakdale, to use your district as an example, where you have major salt marshes --

CHAIRPERSON FIELDS:

That's why I bought the boat, Oakdale.

MR. NINIVAGGI:

Yeah. And especially when you have the marshes very close to the people, then a very small amount of breeding becomes a significant problem for the people in the area. And that's one of the fundamental problems we have in Suffolk County, is that it doesn't take a very big breeding area to affect a fairly substantial number of people just because of the way people and wetlands are packed so closely together.

CHAIRPERSON FIELDS:

Maybe the beginning of it was not to have ever allowed them to build on those wetlands. I guess we're up to B, we're talking about Altosid being used in approximately 32,900 acres, and of the 37,840 acres treated by helicopter. Karen?

MS. GRAULICH:

Again, we'd like this information more detailed. We'd like to see some plans to attempt to reduce such a large amount of the spraying being Methoprene. I'm not sure what the additional spraying was, whether that was adulticide, is that what the --



MR. NINIVAGGI:

No, that's -- almost all of that except for one -- except for one application of a couple of hundred acres of Altosid granules was BTI liquid. So we are actually treating, you know, thousands of acres with BTI liquid in the salt marsh and, you know, this is -- we do want to use this material where it's appropriate to use it. But again, given the stakes involved of -- you can't let a brood of salt marsh mosquitoes get away from you, especially when you get to July and August and the times when it's most difficult to use BTI. If you allow that brood to get away, which is what happened in years past when all we were using was BTI, you'll have what we had when I got here in 1994 which was treatment by helicopter with adult control of 10,000 acres at a time from the Robert Moses bridges to the Forge River; we want to avoid that situation and the use of Altosid has allowed us to do that. And we need -- I think there needs to be a balance, but I think that -- overall, I think there's no question here that Altosid is by far a net environmental benefit since we've brought it into the program.

MS. GRAULICH:

Well, we still have some questions about that regarding the invertebrates. But we're also concerned about there is some discussion in this work plan about populations becoming resistant and the idea that you continually want to expand your efforts with us without emphasizing other things. You should minimize this approach if you have a problem with resistant things so that you don't hurry that resistance along.

MR. NINIVAGGI:

Well, we -- there has been -- Methoprene generally doesn't engender a lot of resistance. We're just starting -- after 20 or 30 years of use, we're just starting to see the first reports of this. Nonetheless, as a prudent manager, this material is so important with us. It's very important for us to preserve, you know, our ability to use this and to avoid resistance, and that's one of the reasons why we alternate with BTI wherever we can because we do want to avoid resistance to this product.

One of the things we'll do, for instance, is on our ground larviciding we generally won't even give the crews Altosid until the end of June, so in April and May they're using only bacterials. So resistance management is something that's important to us and we've already tried to address. I think that the experience with the product is that the risk of resistance is very low, but given the very small number of products we have to work with, we take it very seriously and we try to do everything we can consistent, you know, with good practice which, you know, is very good at avoiding resistance

CHAIRPERSON FIELDS:

On D, I'm going to not put that as part of the public record, but I'm going to ask that Karen and Chuck Hamilton and Vinny discuss that with you so that you can respond to that sentence; okay, Karen?

MS. GRAULICH:

Okay.

CHAIRPERSON FIELDS:

Then we go to the top of the next page before we get to E where it says, "Biologist", or, "This one report occupied the biologist almost full-time for three months to the exclusion of other activities such as planning for OMWM projects." And the question that Chuck asked me to ask was how many projects are planned in the remaining nine months?

MR. NINIVAGGI:

It looks like working with our partners in the initiative, we can work on about two to three projects, major, you know, a hundred acre plus Open Marsh Water Management projects per year. There might be some smaller ones we'd like to do in the coming year, depending -- and what we would -- ultimately, what we would like to do is when we find an area, even if it's small but it's created a problem for us, what we would like to do the following year is not just clean out the ditches but if possible use open marsh water management techniques rather than just standard ditch maintenance.

One of the things that we've done in order to free up the biologist's time for this is we've hired a GIS Technician and he's going to do a lot of this work that the biologist has been doing on this report preparation and record keeping. We've just led a \$23,000 contract to upgrade our Data Management System to try to automate this reporting requirement that we have under State law, again, to free up our technical people's time to do more of their real biological work, planning type work. So we are trying -- you know, this is a new -- especially the Pesticide Reporting Law is a relatively new law. Many of these requirements are new over the last couple of years, and

they're worthwhile but they do take a lot of time and effort. And as we have been hiring people and getting resources to automate this, it becomes less of a problem for us in doing our compliance work.

CHAIRPERSON FIELDS:

Okay. On the bottom of page 13, and I know you're not numbered, but it says, "2001 Goal, talking about 750,000 feet of ditches"; Karen?

MS. GRAULICH:

I guess the question was that that's significantly less than the 220 miles expressed earlier in the plan.

MR. NINIVAGGI:

I think 220 miles comes to like 1.3 million to be the ditch; my boss is an engineer, he likes miles instead of feet. But I think that, you know -- yeah, this still isn't up to the full three year cycle. However, I think that this is a realistic goal, I'm hoping to exceed that, especially depending upon how quickly some of our new equipment arrives. Again, some of this I'm told is going to be arriving later December and, again, depending upon things like weather and availability of our new, more productive equipment, we hope to meet these kinds of goals or even exceed them. We are dependent upon the weather, you do most of this work in the winter because you want to do it when the marsh is dormant. If you have a very snowy, icy winter, obviously that's going to impact how productive you can be.

CHAIRPERSON FIELDS:

On the top of page 14 where it says, "2. Larval Control: Perform 15,000 inspections of breeding sites, treat 30,000 acres with BTI, Vectolex or Altosid"; Karen?

MS. GRAULICH:

We'd like to have some idea of what you're proposing for each -- acreage for each of them. I can understand if you don't actually hit it, but we'd like some idea of the ratio that you're going to try to get .

MR. NINIVAGGI:

Well, this year we did about 36,000 acres and we had that back. Because most of the acreage is the salt marsh aerial application, a good eighty-five to 90% of that is the liquid Altosid. But -- and that will probably be the case in the coming years, you know, just because the fact that the salt marsh control, you know, so dominates the area figures and, you know, because Altosid happens to be uniquely effective on the salt marsh species. On the other species, you know, we have a little bit more flexibility, but with the salt marsh, I think for the foreseeable future a very large portion of the acreage is going to be Altosid.

CHAIRPERSON FIELDS:

Okay. And then --

MS. GRAULICH:

Just as -- I'm sorry.

CHAIRPERSON FIELDS:

Go ahead.

MS. GRAULICH:

Just as an extra comment on this. Given the issues of developing resistance, given the problems with the invertebrates, we would strongly suggest starting to try to find an alternative to Altosid.

CHAIRPERSON FIELDS:

I think we have a bill in for that, do we not, finding alternatives?

MR. SABATINO:

Yeah, I'm just trying to think --

MR. NINIVAGGI:

Actually we have --

MR. SABATINO:

I think it was adopted. Yeah, it was adopted, it was adopted; it was tabled several times but it was adopted .

MR. NINIVAGGI:

Actually, we have -- that's right. We have -- we're in the process of hiring an intern to look at non pesticidal approaches in general. I think --

CHAIRPERSON FIELDS:

How long do you perceive that process from occurring?

MR. NINIVAGGI:

We probably won't have someone realistically until the start of the Spring semester, which I guess is, what, January -- or depending upon the particular school involved.

One of the things I would say is that the best way to limit the use of Altosid is to do more water management and in some cases to go a little bit beyond the techniques we've used in the past with the water management. I think ultimately that's the best way to reduce the use of these materials, because you're very limited in many respects. And we have a long history of experience with BTI and the salt marsh and other districts, you know, share the same issue. You know, we'll have -- and you go to any mosquito district in the northeast and they'll tell you the same thing, that BTI is only effective in the salt marsh in very limited circumstance. And even if you're extremely intensive with the way you use this material, it can be -- inevitably, there are going to be situations and in many of them it's not going to work very effectively. So I think we're up against just the reality of the way these materials work.

MS. GRAULICH:

I can understand it's a difficult issue, but one of the concerns is that apparently the water management projects are not being all that effective at reducing spraying. And I don't see that that approach has proven effective in the past, I don't know what improvements are being planned for the future.

MR. NINIVAGGI:

Well, I would disagree that water management has not been effective.

MS. GRAULICH:

Open water management.

MR. NINIVAGGI:

Open marsh water management I think has been effective, particularly in areas like {Seatuck Marsh} which is the most intensively studied. There are areas where we still are treating them, you know, more time

than I would like to do. I think in terms of our standard water management, it's very common for us to have an area that is never a problem for us. For instance, up at Lloyd Neck two years ago, Pipe's Neck Cove the week -- last year, 1999, an aerial would be a problem, it would be turning up salt marsh mosquitoes when it hadn't in years. We'll go in, we'll clean out those ditches and we don't hear from those people in the next couple of years. So I think the water management is effective, I think we can make it more effective. But again, a lot of this depends upon, you know, what sort of techniques we ultimately are allowed to use. All these things fit together. This is an integrated program, every part of it affects the other parts. And it's all -- there are environmental sensitivities and environmental trade-offs in everything we do and, you know, that's why it's very hard to look at -- it's easy to look at a particular component and say, "well, we can improve this or we can improve that," but these things usually hinge on a lot of different issues.

CHAIRPERSON FIELDS:

Well, when you do OMWM and you do the Long Island Initiative projects, maybe what DEC is looking for is if you've done that project, then why are you still spraying? Because if the benefit is to decrease the spraying and you're still spraying the same exact area that you just -- you know, you've worked on either last year or this year, then why are you continuing to spray?

MR. NINIVAGGI:

Well, for one thing, I think you have to keep in mind that on Long Island, a very small amount of breeding can trigger the need to treat just because there are so many people living close by. And if you have an acre of breeding salt marsh, that can infest literally several hundred acres of residential area, so it's hard to take marshes completely off the spray list.

I think the other thing is that I think the DEC has had reservations about using some of these more involved, more intrusive techniques that we feel would increase the effectiveness of the Open Marsh Water Management Program. So I think -- and I think that that has had an affect on how effective these projects have been. And I welcome DEC's interest in this and I very much look forward to working with them on

exactly what we can do to improve these projects, but I think that to be fair here, I think DEC needs to be a bit more flexible in what they will allow us to do in order to make these projects work the way they work in other jurisdictions.

CHAIRPERSON FIELDS:

Well, again, I think I'd like to recommend that we have a meeting with the partners and with DEC to discuss these. Because if we're throwing the baby out with the bath water, you know, to make the analogy of whether or not these projects work and you're not going to allow them but you're not sure if they're working, but in some places, we know in Seatuck they have worked, then maybe these are evolving and maybe we do have to look at them more and spend some more time I think on these issues. Did you have a comment?

MS. GRAULICH:

Yeah, I do have a comment. Part of the comment is that some of the techniques we're talking about using essentially is digging a pond in place of the marsh; you don't have a marsh anymore, you have a pond. So that goes back to the old-fashioned way of the mosquitoes breed in the marsh, let's get rid of the marsh. That's part of the problem that we have with that approach.

As far as I know and as far as that was reported at the last meeting, the Open Marsh Water Management Project have not reduced spraying at all. And that is our issue with the projects, that's why we permitted them.

CHAIRPERSON FIELDS:

At Seatuck; is that true?

MR. NINIVAGGI:

No, I don't think that that's true at Seatuck. I think -- and we don't have the history at William Floyd Estate that we had with some

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of the other projects, but that's our latest and largest project. And from what we can tell, I think that that project was more successful than some of the other past projects in reducing mosquito numbers. We didn't have the kinds of problems we had in Mastic that we usually

have that tend to come from William Floyd. So I think that we're headed in the right direction of these things.

And as far as the issue of -- I guess that one of the things that we have to look at is how do we want our salt marshes to look. Our current salt marshes have been ditched for many years that tends to eliminate things like ponds. Natural salt marshes tend to have more ponds. Many of us tend to look at digging a pond as bringing a marsh closer back to what it was before it was ditched. I realize that there's concern.

CHAIRPERSON FIELDS:

I think that's the whole concept of restoration, is restoring it back to what it was.

MR. NINIVAGGI:

Yeah. And I think if you look, for instance -- if you go to other jurisdictions, you'll see that. I don't think that -- obviously we don't want to dig up very large areas of the marsh for the sake of mosquito control to create these ponds, we're talking about ponds, you know, half the size of this room or smaller. In some cases we're just talking about plugging up ditches and letting natural areas flood. I think that there are trade-offs. Again, if we -- is it better to dig a little pond and take the marsh off the spray list so we don't have to treat it with pesticides, or is it better to not dig the pond but continue to spray it? And you can actually make -- and I'm not going to say which is better, you could make an argument in either direction. There are times when it's better to spray a marsh with larvicides, especially the modern ones we use today, rather than alter it. These are the kinds of trade-offs that you have to make. But you can see, all these things fit together and they all have trade-offs and they're not easy decisions to make and it's hard to step back from an ecosystem approach and see, well, what is really the best technique to use?

CHAIRPERSON FIELDS:

Again, I think that this is not something that we're going to solve today, but I think we do need to have the partners sit down. And I would urge that that be done maybe before the next Health Committee meeting so that we'll have a better response to that evolution and the results of it. You'll check your calendar and see if --

MS. GRAULICH:

Yeah. I don't think it would be possible to have a meeting within the next two weeks, and my calendar isn't available in two weeks anyway.

CHAIRPERSON FIELDS:



Right. Okay. Well, we'll all talk hopefully --

MS. GRAULICH:

Yep

CHAIRPERSON FIELDS:

-- and try to bring this to conclusion, because we do have to approve this before the end of the year. And if certain things are not going to be, you know, solved, then it's going to be a problem for us to approve it.

MS. GRAULICH:

It's unlikely that we're going to approve additional projects, but there are projects already in existence that do still have permits that, you know, still can be modified and worked on to see if we can improve the results we're getting from them. So it's not as though there's nothing that can be done in that area.

LEG. CARACCIOLO:

Dominick, in terms of lead time, if this plan is not adopted before the end of the calendar year, in what way does that impact your ability to have in place a preventative program for next year, or does it?

MR. NINIVAGGI:

Well, I guess that's something of a legal question. But my understanding is that this plan basically is our license to go out and do our work. So, you know, I would defer to the lawyers on this, but some might argue that if we don't have a plan we shouldn't be out there doing anything.

LEG. CARACCIOLO:

Well, from a practical --

MR. NINIVAGGI:

I'm not sure, I don't know if we want to go that far.

LEG. CARACCIOLO:

Right, right.

MR. NINIVAGGI:

But this is one of the things that --

LEG. CARACCILOLO:

For example, give me some idea of what you typically are doing during the month of January of a calendar year?

MR. NINIVAGGI:

Well, we have crews out --

LEG. CARACCILOLO:

Ditching.

MR. NINIVAGGI:

Ditching, cleaning ditches, cleaning culverts, you know, all those Winter water management things that pay off in the coming Summer.

LEG. CARACCILOLO:

In terms of the work schedule of the people you supervise, what time of the year is your peak vacation period ?

MR. NINIVAGGI:

Actually, right around now tends to be our peak vacation time because we have people who've accumulated overtime or whatever over the Summer, particularly this past Summer. The holidays are coming up and you tend to have a lot of people taking time off; sometimes I wish I could join them, sometimes I find that somewhat difficult. But if you look back over the years, January, February and March tend to be the most productive times, weather permitting, for water manage.

I think we also have to look at what are the alternatives. I mean, I think that everything we can do we can do better in some way. But I think that the overall plan we have in place I think is a good, integrated patrol program that uses a variety of techniques, it's preventative based. I think if you were to look around, you know, the way mosquito programs are run, I think our program would look pretty good, you know, if I do say so myself. And I think that, you know, we

can tweak around the edges and there are a lot of things that we can do better, but I think the bottom line is it's hard for me to picture a program that doesn't involve, you know, some level of water management, some level of larval control, good surveillance, some limited adulticiding, and I think that's what we're talking about. I mean, a lot of the concerns we've talked about here are really things that are around the edges and I don't think that anybody is saying that there is something fundamentally wrong that, you know, we should take out a program component or there's something that we shouldn't do.

I think the other thing that we should keep in mind, too, is that we worked very closely with the DEC on these issues, and I will especially say this summer, especially the pesticide office did tremendous work in working with us in getting our job done and they looked at their roll as allowing us to do the job while staying within the law, and they were very effective. The DEC has an opportunity to look at a lot of these things, also we have to get permits from them; for every pesticide that we use in the water we have to get a permit. They have an opportunity to review exactly how we use each of these materials. They also regulate any kind of pesticide use. So DEC has a lot of opportunities to work with us to address their concerns.

Again, I think that this is a plan, you know, it's 15 pages to describe a two and a half million dollar operation, it's general; I think it needs to be looked at in that context. I mean, I think, again, there's lots of things that I think we can do a little better, there's room for maneuvering here. But I think we also have to keep in mind we don't know what the mosquito year is going to look like next year, we don't know if it's going to be a rainy year, we don't know if we're going to have high tides; we don't know a lot about West Nile Virus. Our picture of what West Nile Virus looks like is very different now than at this time last year. We're finding there are other mosquito species involved, we may have to use very different techniques. And you can't build that into this plan at this time, there needs to be some level of flexibility and I think we need to look at this as an overall plan rather than to look at it -- you know, we can go over it line-by-line and sentence-by-sentence, but I'm not sure that that's really what this document is about.

LEG. CARACCIOLO:

How many mosquito authorities, commissions, departments are there in the United States?

MR. NINIVAGGI:

I feel the trap door opening below me, but I'm sure it's several hundred. And again, we're one of the larger programs in the northeast. Every County in New Jersey has a program, there is a good dozen or so in Massachusetts, and new ones are forming, particularly in --

LEG. CARACCIOLO:

Well, here's where I'm going; and I want to sum up quick because we do have another committee that's about to start. Is there a standard protocol that the Federal Government, that New York State Government or any other higher level of government has authorized for the use of agencies such as ours in dealing with West Nile Virus or any of the common mosquito problems you deal with and have historically dealt with?

MR. NINIVAGGI:

We operate according to the State West Nile Virus Response Plan; this plan is also part of our State aid application so we deal with the State on that level. There are general guidelines through the -- probably through the American Mosquito Control Association.

LEG. CARACCIOLO:

But they're advisory, they're not binding, they're not regulatory.

MR. NINIVAGGI:

No, it's not legally binding. This is -- and part of that is because mosquito problems differ so much from one area to another, and what's good for one area, even one part of New York State, is not necessarily good for us here at Suffolk County. But I think that if you look at the overall guidance, for instance, the AMCA, American Mosquito Control Association, as part of an EPA program called the Pesticide Environmental Stewardship Program that promotes integrated control, non pesticide use, and I think you'll find that we fall very much within the sorts of things that are recommend overall.

LEG. CARACCIOLO:

Has anyone passed judgment, favorably or unfavorably, on what we've been doing in the last two years to deal with West Nile Virus?

MR. NINIVAGGI:

What I can tell you is that around this time last year, the Federal

Centers for Disease Control invited me to come out at their expense to Fort Collins, Colorado, to help participate in the preparation of a national plan for dealing with West Nile Virus, and Dr. Campbell was there also. I have partic -- last year at the American Mosquito Control Association I was an invited speaker for dealing with West Nile Virus in 1999. I'm part of a panel discussion this year in the northeast meetings, I've been invited again to speak on this subject at the American Mosquito Control Association Meeting in 2001. So there are people outside Suffolk County who seem to think that we run a pretty good program.

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LEG. CARACCILOLO:

Has there been any authoritative, scientific group or organization that takes issue with the methods you've used here the last two years dealing with West Nile?

MR. NINIVAGGI:

We've had various groups raise concerns. I would -- I'm not characterizing them as scientific organizations per se. Various environmental groups have expressed concerns and we hear those concerns and we try to deal with them as best we can. But I think that -- overall I think our program has a very good reputation and you might want to check around.

LEG. CARACCILOLO:

So at this point it's a matter of fine tuning.

MR. NINIVAGGI:

I honestly think so. I suppose you couldn't expect me to say anything different, so I think that --

LEG. CARACCILOLO:

Well, let me have the DEC respond to that.

MS. GRAULICH:

I'd like to say I don't think anybody questions that Suffolk County has a strong, well developed program. Other counties do look to it for an example and I think that's why it can take the time to look at how can we improve, what direction we should be moving in. I think that's

the whole reason; it's not to tear down what they're doing but how can we improve.

LEG. CARACCIOLO:

Thank you.

CHAIRPERSON FIELDS:

And I think what I'd like to do is urge that everybody gets together on this plan so that we do have a plan that we can all feel satisfied with that everybody approves it and it's a plan that we can move forward with. Okay? Thanks very much for your help.

Does anybody have anything else? Motion to adjourn.

LEG. CARACCIOLO:

Motion.

(\*The meeting was adjourned at 1:15 P.M.\*)

Legislator Ginny Fields, Chairperson  
Health Committee

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